

Application Recommended for Approval
Hapton with Park Ward

APP/2017/0262

Full Planning Application

Retention of a non-illuminated, automated teller machine including associated alterations to shop front.

22 CHURCH STREET PADIHAM



Development subject to this application

Background:

This is a retrospective application for the retention of a non-illuminated, ATM including associated alterations to the shop front.

The above photograph outlines the area of development that is the subject of this application. Other alterations to the shop front and signage are being dealt with as a separate matter.

Relevant Policies:

Burnley Local Plan Second Review

GP1 - Development within the Urban Boundary

GP3 - Design and Quality

E10 - Alterations, extensions, change of use and development affecting listed buildings

E12 - Development in or adjacent to Conservation Areas

National Planning Policy Framework

Planning (Listed Buildings and Conservation Areas) Act 1990

Site History:

APP/2017/0263 – Retention of associated signage (Non-illuminated) for an automated teller machine – Granted.

Consultation Responses:

LCC Highways

No objection to the proposal on highways grounds subject to the conditions regarding lighting/illumination being attached to any permission that may be granted.

Lancashire County do not support the addition of extra street furniture to support such situation. Bollards are a maintenance liability for the council in that if they are dislodged there is a cost of repairing the footway in addition to the replacement of the units. I would have to raise objections on highway grounds to the addition of Anti-Ram bollards in the adopted footway. If your council is minded to permit the installation of the ATM it is on the understanding that there will not be additional street furniture in the form of Anti-Ram Bollards.

Padiham Parish Council

Padiham PC have made the following comments in specific regard to this application,

- The location is within the Padiham Conservation area, and the alterations to the shop front are not in keeping with the historic character of this area, which is about to undergo a Heritage Lottery Fund Townscape Heritage improvement programme to enhance the historic nature of this area.
- The design and appearance is not in keeping with a Conservation Area about to undergo a Townscape Heritage Initiative enhancement.
- Impact on historic buildings or their settings.
- Padiham Conservation Area was added to the national Heritage at Risk register published by Historic England in 2013, as a result of a deterioration of the area's condition and appearance over the previous three years. The register expresses particular concern over loss of historic detail and inappropriate change to doors and windows, decorative features, shopfronts and signs.
- The ATM has been in place for around 18 months and parking problems are occurring – there is limited parking nearby and drivers are regularly seen parking on the pavement next to the ATM, (which is around 2 metres wide), or on the zig-zag markings on the roadway approaching the nearby zebra crossing.
- Highway safety issues (caused by above).

Project Padiham

Project Padiham object to the proposal for the following reasons,

1. Design and appearance are not in keeping with the character of the area, and
2. Proposed blue surround is out of character with the area.

Lancashire Constabulary (Designing Out Crime Officer)

In the last 12 month period there have been moderate levels of crime recorded in and around this location, and there have also been a number of ATM related crimes

recorded across Lancashire over the last 12 month period. Planning Officers are asked to consider the following security measures to reduce the risk of crime affecting customers and staff or targeting the ATM:-

- As a minimum security requirement, the ATM should be covered by digital HD colour CCTV and positioned to provide clear coverage of the area where people will queue to use the ATM.
- The shop should be fitted with a comprehensive intruder alarm system that covers all available points of access.
- The alarm system should be monitored and installed to EN50131 (Grade 1-4) and comply with the National Police Chiefs Council Policy „Guidelines on Police Requirements and Response to Security Systems“. The alarm installation company should be certified by the National Security Inspectorate (NSI) or Security Systems Alarm Inspection Board (SSAIB), as both organisations promote high standards of service within the security community.
- There is also mention of “Replacing part of the existing glazing with a white laminate composite security panel”; however, it is not clear as to the actual material or thickness being utilised to replace the existing glazing.

[The Agent responded as follows;

- *The site already has a fully monitored alarm.*
- *We can request that one of their 12 cameras covers the ATM externally.*
- *The spec of the composite panel is - Composite panels are to be used where the ATM is to go through a window which has been modified to accept a panel of either, high density laminate solid grade or similar 12mm or 16mm white both sides.*
- *The best we specify is the Panel is to be High Density Solid Grade Laminate.]*

The following was also requested to be considered to reduce the risk of crime affecting customers and staff or targeting the ATM:-

- The area around the ATM must be illuminated with low energy dusk till dawn lighting to ensure customers can easily see and be seen. It will also improve natural surveillance and assist with reducing the fear of crime.
- As a “condition” of the application, anti-ram raid bollards should also be installed in this location along the front elevation of the building to cover the actual ATM.

[The site is adjacent to an existing street light so no further illumination is considered necessary (the illumination proposed was considered out of keeping with the character of the Conservation Area as well), and the County Council have objected to bollards within the pavement due to the risk of any maintenance costs arising. Highways consent would not be forthcoming so adding a condition would not be reasonable as it would not be enforceable. Given that the ATM is already inserted, the applicant will most likely have considered the need for bollards and decided against them (as only the ATM has been inserted. They could apply separately for them but the lack of them does not lead me to consider the proposal would not be unacceptable without them].

Planning and Environmental Considerations:

The site comprises a retail convenience store at No.22 Church Street which forms part of a locally listed terrace of C19 shops which is sited in a prominent position within the Padiham Conservation Area. The shop is to the ground floor and a wooden shop frontage of centrally positioned customer entrance door with large blanked out shop

windows to either side below an overly large shop fascia illuminated by externally fitted lights above (this is subject to a separate enforcement case).

The main issue, from historic environment perspective, is the effect of the development on the street scene, on the Padiham Conservation Area and on adjacent listed and locally buildings.

Visual impact and effect of the development on the street scene, on the Padiham Conservation Area and on adjacent listed and locally buildings.

The building is viewed within the context of the Grade II Listed Saint Leonards Church (see image below) which is fundamental to the significance of the Conservation Area.



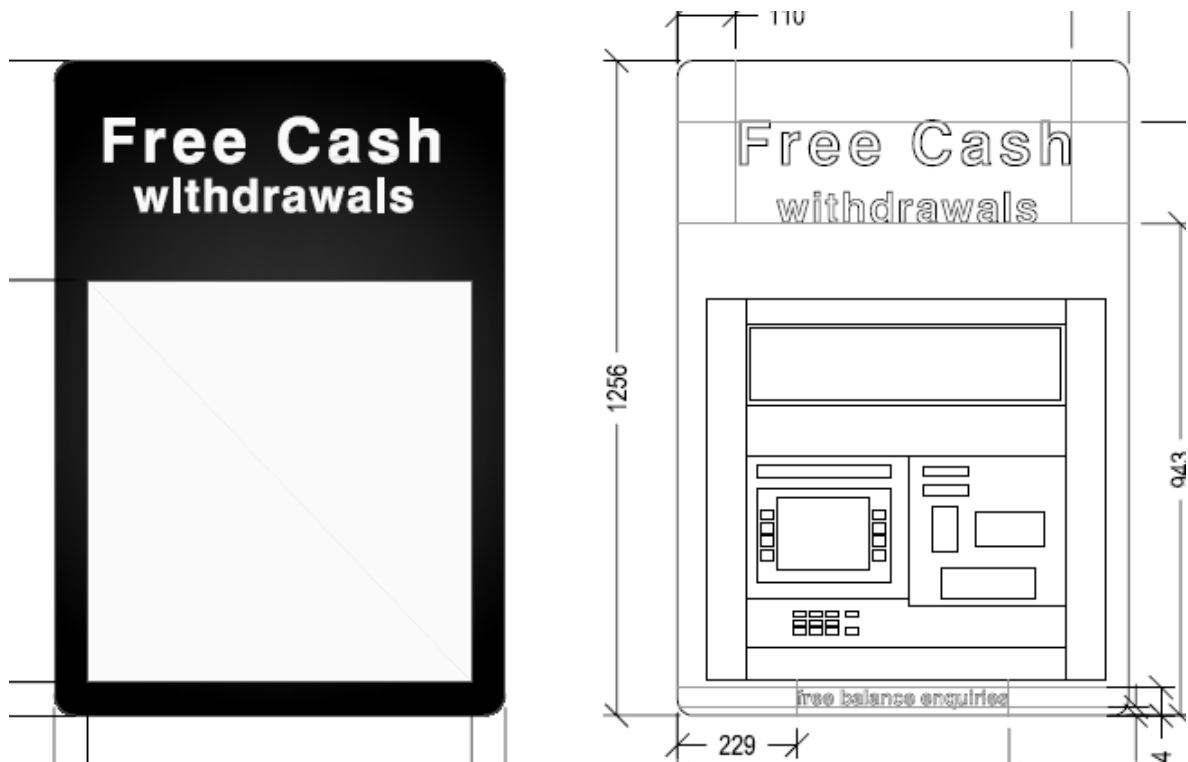
As the site is within the Padiham Conservation Area (CA), the Planning (Listed Buildings and Conservation Areas) Act 1990 applies to the proposal. For conservation areas, s72 requires that special attention be paid to the desirability of preserving or enhancing the character of that area. Local Plan Policy E12 also sets criteria in that respect.

The shopfront presents a poor aesthetic and is an incongruous feature that interrupts the architectural flow of the attractive series of traditionally respectful shopfronts (within which its forms a group) and neither preserves nor enhances the character or appearance of the Conservation Area. However, the matter sought for permission here is for the insertion of the ATM only with any other alterations to the shop front being dealt with as a separate matter.

The use of internal illumination for the lettering above the actual cash machine and the Blue LED Halo surrounding the ATM (as originally submitted) was considered to be harmful. Following discussions with the applicant the illumination has been removed from the scheme so we must now just consider the insertion of the ATM.

Given the ATM can be viewed in situ, it is considered to have a relatively neutral visual impact within the streetscene, thereby complying with the requirements of 'preserving the character of the Conservation Area' as outlined and required within the Planning (Listed Buildings and Conservation Areas) Act 1990.

The insertion of the ATM itself is therefore not considered to be so harmful that it would warrant refusal.



Non-illuminated ATM scheme

Other matters

The Lancashire Constabulary (Designing Out Crime Officer) requested that number of security measures be considered to reduce the risk of crime affecting customers and staff or targeting the ATM. The majority of these can be incorporated within the scheme and as such will ensure an improved level of safety around the site.

The site is adjacent to an existing street light so no further illumination is considered necessary (the illumination proposed was considered out of keeping with the character of the Conservation Area as well), and the County Council have objected to bollards within the pavement due to the risk of any maintenance costs arising. Highways consent would not be forthcoming so adding a condition would not be reasonable as it would not be enforceable.

Given that the ATM is already inserted, the applicant will most likely have considered the need for bollards and decided against them as only the ATM has been inserted. They could apply separately for them in due course but the lack of them does not lead me to consider the proposal would not be unacceptable without them.

Conclusion

The scheme is considered to be in accordance with the relevant Local Plan Policies and national guidance and on this basis the application is recommended accordingly.

Recommendation:

That planning permission is granted subject to the following conditions.

Conditions

1. The development must be begun within three years of the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the amended D&A Statement received 6th July 2017 and the following approved plans: location plan received 17th May 2017 and plan reference number NM-GA-F1-N1 received 6th July 2017.
3. For the avoidance of doubt, the ATM shall be non-illuminated (by virtue of an LED strip or otherwise).

Reasons

1. Required to be imposed by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
3. To ensure the development is implemented in accordance with the approved plans to avoid ambiguity, and to protect the character and setting of the Conservation Area and the surrounding buildings.

GDT