
Appeal Decision

Site visit made on 28 November 2016

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 December 2016

Appeal Ref: APP/B4215/Z/16/3159529

Unit 2 The Quadrangle, Chester Street, Manchester M1 5QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by New Wave Installations Cardtronics UK Ltd against the decision of Manchester City Council.
 - The application Ref: 110891/FO/2015/C1, dated 23 December 2015, was refused by notice dated 30 August 2016.
 - The development proposed is described as the proposed installation of an ATM through the glazed shop front as a through glass installation to the window to the left of the restaurant entrance. ATM fascia and black and green Cashzone polycarbonate surround. Illuminated signage "Free Cash withdrawals balance enquiries""Cashzone" to black and green surround. ATM green acrylic sign internally illuminated with white lettering to top of ATM fascia.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of proposed development taken from the application form and set out in the header above includes details of advertisements. These are the subject of separate control. I have therefore only dealt with the automatic teller machine (ATM) element of the proposal. I am aware that advertisement consent has been granted under the Council's application Ref: 110892/AO/2015/C1 in that regard. However, that does not influence the planning matters in this appeal.
3. This development has already been undertaken. I have therefore considered this appeal on the basis that it is to retain the development which I saw.

Main Issue

4. The main issue in this case is whether the ATM is acceptably sited having regard to the safety of those using the ATM.

Reasons

5. The ATM has been inserted into a glass fronted shop window. To either side of this property are other commercial uses. When facing the ATM to the right-hand side is a restaurant with space for sitting out in chairs on the pavement. There are large outdoor umbrellas providing a canopy and there is a large potted plant and other associated moveable structures. A similar outdoor
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- seating area exists for another hot food use to the left-hand side of the ATM but this is separated by a walkway access.
6. The police liaison officer assessing this scheme expressed concern that the seating area would provide space for anyone using the ATM to be observed and potentially targeted for theft. They were also concerned that the existing totem sign in the pavement would act as a screen and could result in pedestrians being funnelled closer to ATM users. It is clear that the comments of the police liaison officer are based on The ATM Security Working Ground Guidelines developed by the ATM Security Working Group which is made up of relevant bodies including representatives of the operators and service companies.
 7. In contrast the appellant suggests that the outdoor seating provides for natural policing as users of the ATM could be observed. I appreciate that there could be some benefits in respect of this siting. However, I share the police concerns that the outdoor areas provide space for loitering and create a potential threat to ATM customers. Additionally I found that, when stood at the ATM, the existing large totem sign within the pavement creates a threatening presence which makes one feel uncomfortable. This is because, whilst it would provide limited scope to entirely hide anyone, it provides some potential for screening, facilitates loitering, and acts as a distraction to vigilance for the ATM user.
 8. I therefore concur with the police liaison officer and Council that the siting of this ATM is not acceptable having regard to the threat that the particular characteristics of this site pose to users of the ATM.
 9. I appreciate that there is close circuit television in operation at the site but this is to observe the ATM and would not result in immediate protection for ATM users should it be necessary. Moreover, the threat at the ATM site may not be immediate, rather it might well result in an individual using the ATM being followed to a location where they would not be observed.
 10. The appellant suggests mirrors could be added along with painted hatching on the ground to encourage space around the ATM. However, I am not satisfied that these would overcome the concerns raised. At busy periods hatching is likely to be ignored and mirrors might well add to visual distraction for users of the ATM. Moreover, these suggestions do not overcome the fundamental concerns with regard to the siting of the ATM.
 11. The appellant explains that no attacks have been associated with this ATM since it has been in use. Whether or not that is the case, the police confirm that this is a high crime area with some 115 incidents of personal robbery recorded over a recent 12 month period within a 1km area centred around the site, 8 of those incidents being on Chester Street itself. That level of crime adds to my concerns regarding this site and the lack of any incident directly related to this ATM does not overcome the harm to safety identified.
 12. I therefore find that the proposal is contrary to policies SP 1 and DM 1 of the Manchester Local Development Framework Core Strategy (July 2012) which, amongst other things, seek that development makes a positive contribution to the safety and well-being of residents, particularly noting in Policy DM 1 the need for crime prevention. This reflects the National Planning Policy Framework's advice which makes it clear that planning decisions should aim to achieve places which promote safe and accessible environments where crime

and disorder, and the fear of crime, do not undermine quality of life. Development which fails in this regard is not socially, economically or environmentally sustainable.

13. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Zoë HR Hill

Inspector