

Appeal Decisions

Site visit made on 13 December 2016

by J J Evans BA (Hons) MA MRTPI

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

Decision date: 03 January 2017

Appeal A Ref: APP/Z0116/W/16/3159003

Sainsbury's Local Store, 86-88 Broadmead, City Centre, Bristol BS1 3DW

- 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 Sainsbury's Supermarkets Ltd against the decision of Bristol City Council.
 - The application Ref 16/03692/F, dated 7 July 2016, was refused by notice dated 30 August 2016.
 - The development proposed is the installation of an ATM.
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Appeal B Ref: APP/Z0116/H/16/3159004

Sainsbury's Local Store, 86-88 Broadmead, City Centre, Bristol BS1 3DW

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Sainsbury's Supermarkets Ltd against the decision of Bristol City Council.
 - The application Ref 16/03693/A, dated 7 July 2016, was refused by notice dated 30 August 2016.
 - The advertisement proposed is the installation of an ATM.
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Decision

1. **Appeal A:** The appeal is allowed and planning permission is granted for the installation of an ATM at the Sainsbury's Local Store, 86-88 Broadmead, City Centre, Bristol BS1 3DW, in accordance with the terms of the application referenced 16/03692/F, dated 7 July 2016 and the plans submitted with it, and subject to the following conditions:-
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: location and block plan (6173); 6173G04-ATM 1a Page 1 of 2; and 6173G04-ATM 1a Page 2 of 2.
 2. **Appeal B:** The appeal is allowed and express consent is granted for the installation of an ATM at the Sainsbury's Local Store, 86-88 Broadmead, City Centre, Bristol BS1 3DW, in accordance with the terms of the application referenced 16/03693/A, dated 7 July 2016. The consent is for five years from the date of this decision and is subject to the five standard conditions set out in the Regulations.
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Application for Costs

3. An application for costs was made by Sainsbury's Supermarkets Ltd against Bristol City Council. This application will be the subject of a separate Decision.

Procedural Matters

4. As set out above, there are two appeals on the same site, one for planning permission and the other for advertisement consent. They seek the provision of an ATM (automated teller machine) and associated signage. I have considered each proposal on its individual merits, although to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issue

5. The Council have raised no concerns with regard to the public safety impacts of the advertisement proposal. On the basis of the evidence before me, I have no reason to disagree. Consequently, the main issue for both appeals is the effect of the installation of an ATM and its associated signage on the functioning and the character and appearance of the building and the surrounding area.

Reasons

6. The Sainsbury's store is positioned within Bristol city centre. It is one of a number of retail units along the wide and busy pedestrianised street of Broadmead. The store's ground floor shopfront is divided into three large glazed windows, with the central one providing the entrance and exit into the shop. There is an existing ATM surrounded by a graphic lozenge in the company livery positioned to the side of one of the windows.
7. The proposed second ATM would be adjacent to the existing one, and would have a similar size and appearance. Together the ATMs would cover much of the lower section of the window, but as each window is separated by decorative stone pilasters, the combined effect of the ATMs would not harm the balanced proportions of the shopfront.
8. Above the ATMs the glazing would be retained and the shop lighting would be readily noticeable. The entrance and other window would allow views into and out of the store, and the function of the shop would be apparent. As such an active frontage would be retained, and the positioning of the ATMs close to one side of the store would not compromise the layout or functioning of the shop as a whole. Moreover, the use of the company colours around the ATMs would harmonise with that already on the shopfront.
9. I appreciate that Broadmead is a primary shopping area and primary pedestrian route. From my early afternoon visit just before Christmas it was apparent that the area is very busy, with a bustling dynamic. Having regard to the variety of uses present, including commercial and financial services and the consequential diversity of signage, the provision of a second ATM would not significantly harm the character or appearance of the street scene or the vitality and viability of the area.
10. I therefore find the proposed ATM and associated signage would neither harm the character or appearance of the store or that of the surrounding area. The proposal would be the high standard of design that reflects the character and appearance of the host building and the surrounding area as required by

Policies BCS2 and BCS21 of the Bristol Development Framework Core Strategy (2011), Policies DM26 and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies (2014), and objectives of the National Planning Policy Framework (the Framework).

11. Nor would the proposal harm the vitality and viability of the primary shopping frontage or the amenity or accessibility of a primary pedestrian route, as required by Policies BCAP16, BCAP30, BCAP31, and BCAP36 of the Bristol Central Area Plan (2015). Whilst the guidance in the Council's Shopfront Guidelines Policy Advice Note 8 (1997) is of some age and references a superseded development plan, it does provide design guidance for shopfronts, and I do not consider the proposal would conflict with its requirements.

Other Matters

12. Finally, the appellant's concerns regarding the Authority's consistency of decision making is a procedural matter. Such concerns fall to be pursued by other means separate from the appeal process and are not for me to consider.

Conditions

13. I have considered the conditions suggested by the Council against paragraph 206 of the Framework. Where necessary and in the interests of clarity and precision they have been altered to better reflect these requirements. I have imposed the standard time condition and one requiring the development to be carried out in accordance with the approved plans, so as to avoid doubt and in the interests of proper planning.

Conclusion

14. For the reasons given above and having considered all other matters raised, the appeals are allowed and planning permission and express consent are granted.

J J Evans

INSPECTOR