



Appeal Decision

Site visit made on 16 July 2019

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 August 2019

Appeal Ref: APP/U5930/W/19/3228611

5-6 Broadway Parade, The Broadway, Chingford E4 9LG

- 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 Ms Jan Clark (Notemachine UK Ltd) against the decision of the Council of the London Borough of Waltham Forest.
 - The application Ref 190802, dated 6 March 2019, was refused by notice dated 1 May 2019
 - The development proposed is installation of an ATM installed through a composite security panel to the far right hand side of the shop front.
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Decision

1. The appeal is allowed, and planning permission is granted for the installation of an ATM installed through a composite security panel at 5-6 Broadway Parade, The Broadway, Chingford E4 9LG in accordance with the terms of the application reference 190802 dated 6 March 2019 and the plans submitted with it subject to the following condition:
 - 1) Within 2 months of the date of this decision the mirrors, privacy markings, pin shield and bollards shown on drawing numbers 3471652_AI_P revision A dated rev: 09/05/2019 and drawing number 3471652_AI_E revision A date rev:09/05/2019 shall be fully installed and shall remain in place thereafter as part of the development hereby permitted.

Preliminary Matters

2. The appellant has as part of the appeal provided revised plans (drawing nos. 3471652_AI_P revision A and 3471652_AI_E revision A) to those upon which the Council made its decision. Based on the evidence before me, I consider that the suggested amendments to the proposal therein would not prejudice the interests of the parties or other interested people. I, therefore, determine the appeal on that basis and deal with the status of the revised plans and the proposals therein as part of the latter sections of this decision.
3. I saw on my site visit that the Automatic Teller Machine (ATM) has been installed.

Main Issue

4. The main issue is the effect of the proposal on community safety.

Reasons

5. The appeal site is a general convenience store. The ATM has been installed on the right-hand side of the shop front when facing the shop. The ATM is located between a shop display, which projects forward of the ATM, and a low-level planter that demarcates the outside sitting area of an adjacent coffee shop. The whole of the shop front including the ATM is covered by a canopy.
6. The objective of Policy CS16 of the Waltham Forest Local Plan Core Strategy adopted March 2012 and Policy DM33 of the London Borough of Waltham Forest Development Management Policies Local Plan adopted October 2013 is to improve community safety by ensuring that the design of development contributes to a safe environment. The Planning Practice Guidance¹ states that designing out crime and designing in community safety should be central to the planning and delivery of new development.
7. The Council's evidence indicates that the location of the ATM will not detract from the character of the building or the surrounding area and provides a service for customers and residents. However, the Council considers that because of the site circumstances certain security measures are needed to ensure that the ATM provides a safe environment for its users.
8. During my site visit I observed that the bus stop is located on the edge of the footway that fronts the shop and there is a range of street furniture and signage which limits the space for pedestrian movement. I also observed that due to the position of the bus stop, the presence of passengers waiting around and the street furniture, pedestrians passing the appeal site are restricted to a space narrower than the general pavement width. These factors cause pedestrians to walk closer to the shop front than at other pavement locations. Further, I noted that the position of the fruit and vegetable display, and the adjacent outside café seating, encourages passers-by and customers to linger adjacent to the ATM. The movement of pedestrians in close proximity to the users of the ATM would be an incompatible relationship that could have an adverse effect on community safety through the increased risk of opportunist crime and fear of crime for users of the ATM.
9. Notwithstanding the above, whilst the specific circumstances of the location limits natural surveillance the site benefits from CCTV coverage and the premises and the ATM are both alarmed. Furthermore, there is street lighting adjacent to the ATM and I consider that the resultant available light would be adequate for users of the ATM and its observation by CCTV during the day and in periods of darkness when the adjacent shops are closed. In addition, the revised plans submitted as part of this appeal demonstrate that security mirrors, a pin shield, privacy zone and bollards could be installed.
10. To my mind, when taken together, those security measures would adequately protect the ATM from opportunist crime and reduce the fear of crime for users of the ATM by re-directing passing pedestrians further away from its users and preventing a close approach by most vehicles. During my visit, I observed that although the revised plans refer to the security measures "as installed" that was not the case. However, I am satisfied that an appropriately wording condition in accordance with the National Planning Policy Framework (The Framework) could secure their appropriate installation in accordance with the

¹ Paragraph:010 Reference ID:26-010-20140306

revised plans within a reasonable period of time and ensure retention thereafter.

11. Therefore, I conclude that the proposal subject to the proposed condition would not harm community safety and would accord with the requirements of Policy CS16 of the Waltham Forest Local Plan Core Strategy adopted March 2012 and Policy DM33 of the London Borough of Waltham Forest Development Management Policies Local Plan adopted October 2013. The development also would not conflict with the Framework which amongst other things seeks to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion

Conditions

12. The ATM has already been installed, and therefore a condition to ensure that the installation accords with the plans is not necessary. The proposed condition to be imposed, as previously mentioned, requires the implementation of the security measures which are needed to ensure the safety of its users within a reasonable period of time of two months and then to be retained thereafter.

Conclusion

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

Diane Cragg

Inspector