



Appeal Decision

Site visit made on 22 October 2019

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 November 2019

Appeal Ref: APP/M4510/Z/19/3230382

Munchies, 13-21 Percy Street, Newcastle-upon-Tyne, NE1 4PW

- 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 Cardtronics UK Ltd against the decision of Newcastle-upon-Tyne City Council.
 - The application Ref 2019/0152/01/DET, dated 14 December 2018, was refused by notice dated 26 March 2019.
 - The development proposed is given as 'retention of an ATM installed through the shop front window two windows to the right of the glazed entrance door. To be revised to a through glass installation Wincor 6626 ATM fascia only with non-illuminated top sign. It is proposed to remove the installed infill panel and illuminated surround signage, reinstating the glazing surround to the ATM fascia with a non-illuminated top sign'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The automated teller machine (ATM) was installed at the time of my site visit; the associated advertisements do not form part of this appeal. The shopfront signage is currently subject to enforcement investigation.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the locally listed host property and the Leazes Conservation Area (LCA).

Reasons

4. The appeal site is a four-storey, late-Georgian terrace town house, with café/takeaway premises on the ground floor. The building is located in a prominent and imposing position on what is now an arterial route through the city centre; the local listing derives from the building's importance as a surviving early 19th century building. The LCA Character Statement notes the property's neglect, with poor shopfront detracting from the quality of the building. The safeguarding of this historic building is a key issue, amongst other matters.
5. The effect of the proposal would be to install an ATM within a glazing panel in an off-centre window position along the shop front. A similar proposal in the same location was dismissed at appeal¹ in 2018, with a linked appeal for associated advertisements. Whilst the full details of that planning appeal are

¹ Appeal decision APP/M4510/W/18/3201448

not before me, the current appeal proposal differs in that a laminate panel surround would be replaced with silicone jointed glazing instead.

6. The earlier appeal was dismissed for reasons including off-centre position and prominence on the shop frontage. Notwithstanding that the associated ATM advertisements are not part of the current appeal, and despite the proposed glazed surround, I see no evidence that would persuade me to disagree with that decision. The ATM would be sited in an unduly prominent and unbalanced position along the shop front. Furthermore, whilst the glazing would reduce the amount of window facing taken up, it would exacerbate the previous Inspector's concern regarding the effect of the depth of the ATM's housing as appreciated through the shop windows. Consequently, these factors together reduce the active frontage of the shop to the detriment of the street scene. Whilst glazing is an improvement on laminate panelling, overall, the proposal would remain an incongruous feature on the host building and within the LCA.
7. The reversibility of the scheme does not lessen the special attention I must pay to the desirability of preserving the character and appearance of the conservation area, or indeed the balance of harm to the significance of the non-designated heritage asset. Whilst reference has been made to other permitted ATMs in the area, I have not been provided with the full details of these cases. However, at my site visit I observed that the ATM at 27 Percy Street is substantially different in character and context as it relates to a blank wall and secondary elevation of a modern building, in a side street, namely Leazes Lane, in contrast to the appeal proposal siting on the principal elevation of a historic building. Notwithstanding that ATMs are commonly found on shop frontages, I must determine the current appeal on its merits.
8. Whilst I have found harm to the significance of the LCA, the level of harm would be less than substantial, in the language of the National Planning Policy Framework (the Framework), as it relates to shopfront changes affecting one building. Under such circumstances, paragraph 196 of the Framework indicates that the harm should be weighed against public benefits. However, the public benefits gained from the provision of an additional cash dispensing service in the area, and any associated benefits to the economy and community, are limited. Overall, the benefits are outweighed by the great weight I attach to preserving the character and appearance of the conservation area.
9. I conclude that the proposal would have a significant adverse effect on the character and appearance of the locally listed host property and the LCA, contrary to policies CS15, UC12 and UC14 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (2015), saved policy EN1.1 of the Unitary Development Plan (1998), and the Framework. Together, these policies require that development contributes to good place-making through high quality design, and conservation and enhancement of the historic environment.

Conclusion

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

Patrick Hanna

INSPECTOR