

Appeal Decision

Site visit made on 9 December 2019

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

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

Decision date: 6th January 2020

Appeal Ref: APP/A0665/W/19/3222310

Bridgegate Stores, 35 Lower Bridge Street, Chester CH1 1RS

- 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 Cheshire West & Chester Council.
 - The application Ref 18/02917/FUL, dated 25 July 2018, was refused by notice dated 5 February 2019.
 - The development proposed is retention of an installed ATM through the shop front window.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The application was for retention of an ATM, so an ATM must have been installed prior to the date of the application. But on the date of the site visit there was no ATM in the shop front window at the appeal property. It must therefore be concluded that the ATM was removed, and the shop front window returned to its former condition, after the appeal was submitted. The appeal will therefore be determined on the basis that the application is for the 'installation of an ATM'.

3. 35 Lower Bridge Street is a Grade II listed building. The effect of the proposed development on the architectural and historic interest of the building would be for consideration under an application for listed building consent.

Reasons

4. The main issue is the effect of the installation of an ATM on the character and appearance of the building and the Chester City Conservation Area within which the building is located.

5. The mid-terraced four storey building was originally a town house but is now a ground floor shop with accommodation above. It was built in 1717 in rendered brick under a hipped grey slate roof. The frontage has rusticated quoins, bands to the second and third storeys and a parapet, but its principal features are its windows. The shopfront, which is not original, has an eighteen pane window to the right of a part glazed door, and above there are two 15 pane sash windows at first and second floor levels and a 12 pane sash window at second floor level.

6. The shopfront takes up almost the full width of the narrow frontage to the building. Its multi-paned window is complimentary to the multi-paned windows

above, and the shopfront is suitably restrained as are other shopfronts in the vicinity. The removal of half of the multi-paned window and the introduction of a modern ATM, with all of its fittings and signage, would introduce clutter to the frontage. The ATM would be uncomplimentary and would compromise the character and appearance of the building and the Conservation Area.

Conclusion

7. The introduction of an ATM would have a significant adverse effect on the character and appearance of the building and the Chester City Conservation Area, and would conflict with policy ENV5 of the Cheshire West and Chester Local Plan and with saved policies ENV37 and ENV41 of the Chester District Local Plan.

Other matters

8. The harm caused to the Conservation Area, a heritage asset, would be less than substantial but, with regard to paragraph 196 of the National Planning Policy Framework, the public benefit of providing an ATM facility does not outweigh the harm that would be caused. The existence of an ATM at another property in the vicinity is noted but it is a fundamental planning principle that a development proposal should be considered on its individual merits.

John Braithwaite

Inspector