The Planning Inspectorate

# Appeal Decisions

Site visit made on 9 February 2021

**by Sarah Manchester BSc MSc PhD MIEnvSc**

**an Inspector appointed by the Secretary of State**

**Decision date: 23rd February 2021**

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**Appeal A Ref: APP/J2373/W/20/3262439**
**150 Lytham Road, Blackpool FY1 6DJ**

- 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 Blackpool Borough Council.
- The application Ref 20/0532, dated 03 September 2020, was refused by notice dated 05 October 2020.
- The development is described as installation of Automated Teller Machine (retrospective application).

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**Appeal B Ref: APP/J2373/H/20/3262440**
**150 Lytham Road, Blackpool FY1 6DJ**

- 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 Cardtronics UK Ltd against the decision of Blackpool Borough Council.
- The application Ref 20/0533, dated 03 September 2020, was refused by notice dated 05 October 2020.
- The advertisement is described as Retention of 1 non-illuminated ATM (Automated teller machine) sign.

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## Decision

1. Appeal A is dismissed and Appeal B is dismissed.

## Procedural Matter

2. As set out above, there are 2 appeals on this site. However, there is a single application form and 1 description of development, this being "the retention of an automated teller machine and associated signage with added security detail". In order to avoid duplication, I have dealt with the two schemes together. In the interests of clarity and to distinguish the schemes from another, I have adopted the description of the development and the advertisement from the decision notices in the banner headings above.

3. The development and the advertisement (collectively, the ATM) have already been installed. The submitted plans and photographs reflect the schemes and I have determined the appeal on this basis.

## Main Issues

4. The main issues in respect of Appeal A are:

   i) The effects of the development on the character and appearance of the area; and

   ii) Whether or not the development would increase the incidence and the fear of crime.

5. The main issue in respect of Appeal B is the effect of the advertisement on amenity.

## Appeal A Reasons

*Character and appearance*

6. The appeal relates to the commercial ground floor frontage of a 2 storey end of terrace property on the corner of Bloomfield Road. Lytham Road itself is a wide street characterised by a mix of modern and traditional 2 and 3 storey properties, the majority of which appear to have ground floor commercial premises with residential use above. It is in the South Beach inner area of Blackpool, which is a mixed holiday and residential neighbourhood.

7. The ATM has been installed to the left hand side of the central doorway in a white laminate panel. The ATM is not centrally located in the panel, and its offset siting is conspicuous and discordant. The evidence indicates that the laminate panel replaced a clear glazed window with a retail graphic and that matched the right hand side of the retail frontage. In contrast, the stark white panel is mismatched and it does not relate well to the frontage, the building or adjacent buildings and commercial frontages elsewhere in the street.

8. I accept that the ATM itself is a relatively modest feature and that there is variation in terms of the design and appearance of nearby buildings and frontages. Nevertheless, the ATM and the large white panel are cumulatively visually obtrusive and incongruous. The development contributes to visual clutter rather than to visual harmony. Consequently, it does not make a positive contribution to the quality or character of the street scene.

9. The appellant is seeking to retain the laminate panel and the ATM, but the surrounding green and black fascia panel and associated illumination would be removed. This would reduce the visual impact of the ATM, but it would not adequately mitigate the harm.

10. Therefore, the development harms the character and appearance of the area. It conflicts with Policy CS7 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) Adopted January 2016 (the CS) and saved Policies LQ1, LQ11, LQ14, BH3 and BH4 of the Blackpool Local Plan 2001-2016 Adopted June 2006 (the LP). These require, among other things, that development should be well designed and appropriate to its surrounding environment, avoiding unacceptable visual intrusion and contributing positively to the character and appearance of the area.

*Crime*

11. The appeal site is in one of the most deprived Lower Super Output Areas in the country for crime, according to the 2019 Indices of Deprivation. Therefore, and

on the basis that ATMs are the target of crime, the Council considers that the development presents the opportunity for, and it would increase, criminal activity in this area.

12. There were no reports of crime against the ATM in the 9 months or so following its installation, although this coincided with the Covid-19 pandemic and may not therefore be representative of normal circumstances. Moreover, while the evidence refers to an ATM security working group document that does not consider that ATMs generate crime, this has not been submitted with the appeal. Consequently, although there is little substantive evidence that ATMs in the area have been targeted by criminals, there is little compelling evidence that the ATM would not encourage crime or the fear of crime.

13. The open location next to a traffic controlled junction does allow for natural surveillance by pedestrians and motorists waiting at the junction on Lytham Road. However, the appeal site is relatively close to the corner of the building and there is no line of sight around the corner to Bloomfield Road. There are no defensible space markings or bollards and there would be nothing to prevent vehicles from leaving the road and targeting the ATM.

14. Although there is external lighting of the shop fascia sign, it is not clear that there would be any significant illumination to ATM users during darkness. Moreover, while there are CCTV mounted at either end of the fascia sign, the extent to which these would capture activity around the ATM is unclear. In any case, it has not been demonstrated that the image resolution would be adequate to identify individuals or that the CCTV recordings are stored.

15. As part of the proposal, there would be an alarm and security mirrors and pin shields would be retrofitted to the ATM. However, given the generally high deprivation and crime levels in this area, and taking into account the concerns set out above, these measures alone would be unlikely to be sufficient to overcome the concerns of the Council and that I share.

16. Therefore, the development fails to contribute to the creation of a sustainable neighbourhood and public realm where crime and the fear of crime do not undermine the quality of life. It conflicts with Goal 2 and Policy CS12 of the CS. These seek to create sustainable and safe neighbourhoods, including through regeneration and improvement. It also conflicts with the social objectives of the Framework in relation to well-designed and safe built environments that support community health and well-being.

**Appeal B Reasons**

17. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The Framework and the Planning Practice Guidance reiterate this approach. Therefore, while I have taken account of the policies and guidelines that the Council considers to be relevant to this appeal, they have not been decisive in my determination of this appeal.

18. The advertisement is the same as the development subject of Appeal A. Consequently, the effects of the advertisement on visually amenity are the same as the effects of the development on character and appearance.

19. Therefore, for the reasons set out above in relation to the effects of the development on the character and appearance of the area, the advertisement

is harmful to visual amenity. In its decision notice, the Council refers to Policies CS7 of the CS and Policies LQ1, LQ13 and BH3 of the LP. Given that I have concluded that the advertisement harms visual amenity, it would conflict with the relevant policies.

**Other Matters**

20. While the relevant local plan policies do not appear to require a need for banking facilities to be demonstrated, I accept that the ATM will have been regularly used since it was installed. Moreover, there is no dispute that there are public benefits associated with the provision of banking facilities. However, there is little before me to demonstrate that such facilities could not be provided by alternate means that would avoid the harm that I have found. In this regard, both parties have drawn my attention to ATMs elsewhere in the area, including within buildings and further along Lytham Road. Although these do not provide a justification for the appeal scheme, they demonstrate that banking facilities are available within walking distance of the appeal site.

**Conclusions**

21. In respect of Appeal A, the development results in harm to the character and appearance of the area and it contributes to crime and the fear of crime. In respect of Appeal B, the advertisement harms the character and appearance of the area and it is therefore detrimental to amenity.

22. For the reasons set out above, I conclude that Appeal A should be dismissed and Appeal B should be dismissed.

*Sarah Manchester*

INSPECTOR