



Appeal Decisions

Site visit made on 8 March 2022

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 29th April 2022

Appeal A Ref: APP/J2373/W/21/3281759

495-497 Promenade, Blackpool, FY4 1BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under a development order.
 - The appeal is made by Cardtronics UK Ltd, trading as CASHZONE against the decision of Blackpool Council.
 - The application Ref 21/0496, dated 2 June 2021, was refused by notice dated 9 July 2021.
 - The development proposed is retention of an automated teller machine with added security features and a non-illuminated logo panel only.
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Appeal B Ref: APP/J2373/H/21/3281762

495-497 Promenade, Blackpool, FY4 1BA

- 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, trading as CASHZONE against the decision of Blackpool Council.
 - The application Ref 21/0497, dated 2 June 2021, was refused by notice dated 9 July 2021.
 - The development proposed is display non illuminated logo panel.
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Decision

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

Procedural Matter

2. There are two appeals on this site but only 1 application form and 1 description of development. In order to avoid duplication, I have dealt with the two schemes together. In order to distinguish the schemes from one another, I have adopted the description of the advertisement from the decision notice in the banner heading above.
3. Earlier planning and advertisement applications (refs 20/0807 and 20/0806) for an ATM were refused. Nevertheless, an ATM has been installed. As part of the proposal the illuminated signage would be removed leaving a non-illuminated logo panel. Therefore, I have determined the appeal on the basis of the submitted plans rather than the ATM that has been implemented.

Main Issues

1. The main issues in respect of Appeal A are:
 - i) The effects of the development on the character and appearance of the building and the area; and

- ii) Whether or not the development would increase the incidence and the fear of crime.
2. The main issue in respect of Appeal B is the effect of the advertisement on amenity.

Appeal A Reasons

Character and appearance

3. Nos 495-497 Promenade is a locally listed non-designated heritage asset. It is a substantial Edwardian building, formerly a hotel and a public house. It is a predominantly 3 storey red brick building with 5 bays to Station Road and 3 bays to Promenade. Bays are articulated by strip pilasters and there are canted corners, decorative terracotta panels and gablets to the roofline. There are semi-circular headed windows to the first floor and square headed windows at second floor level. The building is in a prominent open corner location opposite South Pier where it makes a strong positive contribution to the character and appearance of the area.
4. The ATM has been installed asymmetrically in a rendered panel in the shopfront on the right hand side of the door. Although relatively modest in scale, and even without its illuminated panels, the ATM would be poorly visually related to its surroundings, being neither in keeping with traditional shop frontages nor the imposing historic building frontage above. The proposal would contribute to visual clutter in combination with the shop front fascias and signage and the fenced compound to the front of the premises.
5. The Council's Built Heritage advisor considers that an ATM in the blank wall between the units would be acceptable subject to there being traditional fascia signage and no vinyl signage anywhere on the building. If the unauthorised vinyl displays and signage were removed, I am of the opinion that the frontage would be less cluttered but the proposal would be more visually prominent and more incongruous in the resulting traditional historic context. Consequently, it would be a discordant feature that would detract from the historic building. The proposed ATM would not be sympathetic to the surrounding built environment. It would not make a positive contribution to local distinctiveness or sense of place.
6. Therefore, I conclude that the proposal would harm the character and appearance of the non-designated heritage asset and the area. It would conflict with Policies CS7 and CS8 of the Blackpool Local Plan Part 1: Core Strategy (2012-2027) Adopted January 2016 (the LP) and saved Policies LQ1, LQ11, LQ14, BH3 and BH4 of the Blackpool Local Plan 2001-2016 Adopted June 2006. These require, among other things, that development is well designed and appropriate to its surroundings, that it conserves and enhances heritage assets, avoids unacceptable visual intrusion and contributes positively to the character and appearance of the area. It would conflict with the visual amenity and heritage protection aims of the National Planning Policy Framework (the Framework).

Crime and fear of crime

7. The appeal site is in area identified in the 2019 Indices of Deprivation as the sixth most deprived Lower Super Output Area in terms of crime. Therefore, as

ATMs are known to be targets for crime, the proposal has the potential to encourage or increase crime.

8. While there is apparently no CCTV covering the ATM, the appeal site is adjacent to a busy road with good levels of natural surveillance during the day. Outside of normal retail hours, there is external lighting to the shop front and the frontage is currently fenced to deter ram raids. The ATM is not close to a corner or in an area with poor visibility. The appellant states that additional safety protection features such as a privacy zone, pin shield and security mirrors could be fitted retrospectively if necessary.
9. Consequently, notwithstanding that the area is deprived, the location does not appear to be inherently unsuitable in terms of increasing the risk of crime or the fear of crime. Moreover, there is little evidence in relation to reported incidents of crime in this location or that either this ATM, which was installed in October 2020, or nearby ATMs have been the target for criminal activity.
10. Therefore, on the basis of the evidence, I conclude that the proposal would not encourage or increase crime in this area. It would not be detrimental to the creation of sustainable neighbourhoods and public realms where crime and the fear of crime do not undermine the quality of life. It would not conflict with LP Goal 2 or Policy CS12. It would not conflict with the Framework in relation to creating safe built environments that support community health and well-being.

Appeal B Reasons

11. The Regulations require that decisions are made only in the interests of amenity and public safety, taking account of any material factors. The National Planning Policy Framework and the Planning Practice Guidance reiterate this approach. Therefore, while I have taken account of the policies that the Council considers to be relevant to this appeal, they have not been decisive in my determination of this appeal.
12. The advertisement is the same as the development subject of Appeal A. Consequently, the effects of the advertisement on visual amenity are the same as the effects of the development on character and appearance.
13. 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 would harm to visual amenity. In its decision notice, the Council refers to Policies CS7 and CS8 of the CS and Policies LQ1, LQ13 and BH3 of the LP. Given that I have concluded that the advertisement would harm visual amenity, it would conflict with the relevant policies.

Other Matters

4. The provision of banking facilities and access to cash are public benefits. However, the area is already well-served by ATMs including within roughly 30m of the appeal site. Consequently, notwithstanding that the ATM has been well-used particularly during the summer, there is little evidence that the proposal would result in any significant public benefit. Moreover, it has not been demonstrated that the proposal would result in any significant benefit to the local economy. In the absence of substantiated public benefits, these matters carry little weight in favour of the scheme.

Conclusion

14. In respect of Appeal A, I conclude that the proposal would harm the character and appearance of the locally listed building and the area, but it would not contribute to crime or the fear of crime. It would conflict with the development plan and there are no material considerations that would outweigh that conflict.
15. In respect of Appeal B, the advertisement would harm the character and appearance of the area and therefore it would be detrimental to amenity.
16. For the reasons set out above, I conclude that Appeal A should be dismissed and Appeal B should be dismissed.

Sarah Manchester

INSPECTOR