



Appeal Decision

Site visit made on 28 February 2023

by K Lancaster BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2023

Appeal Ref: APP/V4250/W/22/3309691

11 Wallgate, Wigan WN1 1LD

- 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, trading as CASHZONE against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/22/93812/RET, dated 3 May 2022, was refused by notice dated 26 August 2022.
 - The development proposed is described as "the retention of an Automated Teller Machine and associated signage."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant submitted joint planning and advertisement applications to the Council. However, an appeal has only been made in relation to the planning application. When the application was considered by the Council, the Automated Teller Machine (ATM) had already been installed. However, at the time of my visit, the external elements of the ATM had been removed and the insertion was boarded up. I have determined the appeal on this basis.
3. In determining this appeal involving development within a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area, with particular regard to the effect on the host property and whether the development would preserve or enhance the character or appearance of Wigan Town Centre Conservation Area.

Reasons

5. The appeal site relates to 11 Wallgate, which is a commercial premises, located in the centre of Wigan and currently operating as a hot food takeaway.
6. The Wigan Town Centre Conservation Area (WTCCA) is focussed around the historic town centre and incorporates some of the main thoroughfares in the town, including Wallgate, Market Place, Millgate and Standishgate. Development in the conservation area is relatively dense in nature with the majority of the settlement having been well established by the late 19th Century. The area is primarily commercial in nature with some office space

located throughout the area along with a small number of residential properties.

7. The significance of the conservation area lies in its historical development as an important market town and its associated concentration of civic and commercial buildings. Unlike many town centres which underwent large scale redevelopment in the mid-20th Century, the conservation area retains many traditional commercial buildings, many of which date from the 19th century.
8. No.11 is an example of a 19th century traditional building within the conservation area which contributes positively to its significance. It retains a simple, mostly traditional shopfront, although the original shopfront has been modified and incorporates some less traditional features.
9. The development involved further alterations to the shopfront in the form of the insertion of an ATM to the side of the entrance door, within a fully glazed window. The housing for the ATM is highly visible. It is a large, solid structure that contrasts starkly with the open character and appearance of the glazing. As a result of its size and bulk the ATM creates visual clutter to the shopfront and thereby adversely affects its simple character and appearance.
10. Whilst the area is commercial in nature, with a range of different shopfront designs, the ATM introduces an incongruous addition to the glazed shopfront. Consequently, it causes harm to the character and appearance of the area.
11. For these reasons, I conclude that the ATM harms the character and appearance of the area, with particular regard to the effect on the host property and neither preserves nor enhances the character or appearance of Wigan Town Centre Conservation area. The ATM causes harm to the significance of the conservation Area, a designated heritage asset. It therefore conflicts with Policies CP10 and CP11 of the Wigan Local Plan Core Strategy (2013) (CS) and saved Policy EV4A of the Wigan Replacement Unitary Development Plan (2006) (UDP) which, amongst other things, seek to conserve and enhance the historic environment and to ensure proposals will not harm the character of the area.
12. Paragraph 199 of the National Planning Policy Framework (the Framework) requires that great weight should be given to the conservation of designated heritage assets, irrespective of the amount of harm identified. In this instance, the harm to the significance of the conservation area would be less than substantial.
13. Paragraph 202 of the Framework states that if a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, then this harm should be weighed against the public benefits of the proposal.
14. I acknowledge that the ATM offers a public benefit by providing access to cash for the community and services to those that do not have access to online banking. This supports their use of local businesses, maintaining and enhancing the vitality and viability of the town centre, thus aiding the local economy. However, I observed other ATMs within a short walking distance. As such, even acknowledging that it was well-used, there is little evidence that the ATM results in any significant benefit. While the appellant refers to the potential removal of other ATMs, there is no substantive evidence that this would be the

case within the immediate area. As such, I find that the public benefits of the proposal do not outweigh harm to the significance of the conservation area.

15. Accordingly, I conclude the ATM fails to preserve or enhance the character or appearance of the WTCCA and causes less than substantial harm to its significance as a designated asset. In the absence of any public benefits to outweigh this harm it conflicts with Policies CP10 and CP11 of the CS, saved Policy EV4A of the UDP and the Framework.

Conclusion

16. For the reasons given, the ATM does not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed

K Lancaster

INSPECTOR