
Appeal Decision

Site visit made on 23 May 2023

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 June 2023

Appeal Ref: APP/W4515/Z/23/3316359

99 North Road, Wallsend, North Tyneside NE28 8RJ

- 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 North Tyneside Metropolitan Borough Council.
 - The application Ref 22/02168/FUL, dated 14 November 2022, was refused by notice dated 24 January 2023.
 - The development proposed is the installation of ATM and associated signage.
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Decision

1. The appeal is allowed. Planning permission is granted for installation of ATM at 99 North Road, Wallsend, North Tyneside NE28 8RJ in accordance with the terms of the application Ref 22/02168/FUL dated 14 November 2022 subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 6625, E025709 & NW0002.

Procedural Matter

2. The refusal relates to the application for planning permission only and not to the associated signage. This appears to have been granted advertisement consent separately. The description should therefore be amended to 'installation of ATM' and I have considered the proposal on this basis.

Main Issue

3. The main issue is the effect of the proposed ATM on highway safety.

Reasons

4. I note that the premises is located at the signal-controlled junction of North Road and Station Road and that there are double yellow lines which serve to prevent waiting at any time on and closely adjacent to the junction.
5. However, immediately to the west of the appeal site on the reasonably wide North Road there are no such restrictions meaning that it would likely be possible for users of the ATM or those servicing it to park or wait here, only a very short distance from the appeal premises. It would not cause a user if the machine significant inconvenience to stop within this area.

6. Whilst not providing any off-street parking space, I am mindful that the unit appears to comprise of a well-established retail premises which in any event is already likely to generate car trips and associated parking or waiting.
7. Further, whilst I have been advised that there has previously been a collision at the junction, there is little information to be able to determine the cause of this accident and there is nothing to indicate that the cause related to parking or waiting within the restricted areas.
8. Given the particular circumstances at the site and the surrounding road layout and markings, I have no reason to consider that the installation of an ATM would have any significant adverse impact on highway safety at or around the site.
9. There would therefore be no conflict with Policies DM6.1 or DM7.4 of the North Tyneside Local Plan (2017) (NTLP) which amongst other things require that proposals demonstrate a good standard of amenity for existing and future residents and users of buildings and spaces and ensure that the transport requirements of new development commensurate to the scale and type of development are taken into account.

Other Matters

10. I have not identified conflict with NTLP Policy S1.4 relating to general development principles, nor Policy DM5.19 relating to pollution.

Conditions

11. In addition to the standard three-year time limit for commencement, I have imposed a condition requiring the development to be carried out in accordance with the submitted plans in the interests of certainty.
12. For the reasons identified above, I do not feel that a condition monitoring accident data would be necessary and such a condition would therefore not meet the conditions tests.

Planning balance and conclusion

13. Having considered the development plan and the provisions of the Framework¹, there is nothing to indicate that the decision should be made otherwise than in accordance with the development plan. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR

¹ National Planning Policy Framework 2021.