



Appeal Decision

Site visit made on 16 August 2023

by Nichola Robinson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2023

Appeal Ref: APP/Z0116/W/22/3313562

Horfield Food Store, 387 Gloucester Road, Horfield, Bristol BS7 8TS

- 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 Bristol City Council.
 - The application Ref 22-01457-F, dated 7 March 2022, was refused by notice dated 3 October 2022.
 - The development proposed is an automated teller machine.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development given in the planning application was 'the retention of an automated teller machine and associated signage'. The appellant confirms that the appeal relates only to the automated teller machine (ATM) and not to the associated advertisements which formed part of their original combined application for planning permission and advertisement consent. It is therefore appropriate that the description relates only to the development for which planning permission has been refused and which is now the subject of this appeal. The evidence indicates that the ATM was installed in October 2021, and I saw that it was operational at the time of my visit. I shall thus consider the appeal on a retrospective basis.
3. Accordingly, I refer to the ATM as 'the development', including in the banner heading above. I have removed the word 'retention' from the description of development since this does not constitute a form of development. These changes are consistent with the information provided in evidence. Whilst this has not been subject to separate consultation or formal agreement, I consider that the description I have used accurately describes the development for which permission is sought, and these changes do not prejudice the interests of any party.

Main Issue

4. The main issue is the effect of the development upon highway and pedestrian safety.

Reasons

5. The appeal site is a general convenience store on the corner of Gloucester Road and Ashley Down Road. The site is located in the Gloucester Road Town Centre within an area designated as secondary shopping frontage. Gloucester Road is

- part of the strategic road network which connects Bristol city centre and other residential areas including Filton and Horfield. Gloucester Road and Ashley Down Road are located on a high frequency bus network.
6. To the front of the appeal site is a signal-controlled junction where the highway comprises three lanes of traffic with one lane dedicated to traffic turning left onto Ashley Down Road. A cyclist Advanced Stop Line (ASL) spans the width of the south-bound carriageway to the front of the appeal site. There are pedestrian crossings to the front of the site on Gloucester Road and to the side of the site on Ashley Down Road. There are double yellow line parking restrictions to the front and side of the appeal site and single and double yellow line parking restrictions throughout the shopping parade.
 7. At my weekday morning site visit I observed that the highway was heavily trafficked in both directions and there was a steady flow of pedestrians using the footpath to the front and side of the appeal site and the pedestrian crossings on Gloucester Road and Ashley Down Road. I noted that vehicles were regularly stationary at the signalised junction to the site frontage. Whilst this is a snapshot in time, there is nothing in the evidence before me to suggest that these observations are atypical of the area.
 8. The footpath width tapers to the site frontage in line with the road layout at the road junction. At times the extent of available footpath may be reduced by pedestrians waiting in readiness to cross the road. Nonetheless, based on my observations, even in circumstances where there are pedestrians queueing in readiness to cross the road and customers queueing to use the ATM, there would appear to be adequate space for pedestrians to pass without the requirement to walk on the road. Additionally, I consider it unlikely that the development results in any significant increases in pedestrian movement in the area.
 9. There are limited opportunities for customer parking immediately to the front of the appeal property. Nonetheless, there are some opportunities for short stay parking within the Town Centre including to the front of numbers 405-413 Gloucester Road, approximately 50 metres from the appeal site. It is likely possible for users of the ATM to park here, and it would not cause a user of the machine significant inconvenience to stop within this area. Furthermore, I have not been presented with any convincing evidence that the development results in any significant increases in vehicular movements associated with customers accessing the ATM or that it leads to incidences of illegal parking on the surrounding highway network by customers using the ATM.
 10. The appellant states that it is essential that the Cash and Valuables in Transit (CVIT) couriers are able to park their vans as closely as possible to the appeal site when servicing the ATM. It is stated that, whilst couriers take care not to cause any hindrance to the free flow of traffic and do their best to avoid parking in restricted areas such as bus lanes, disabled bays, taxi ranks and on pavements, it can mean parking in other places that are deemed unlawful, such as on a single or double yellow line.
 11. Given the parking restrictions close to the appeal property there are limited opportunities for CVIT couriers to park when servicing the ATM and I have not been presented with any convincing evidence that CVIT couriers are able to park within short stay parking areas on Gloucester Road given the distance from the appeal site and the requirement to park as close as possible to the

ATM. This could result in CVIT courier vehicles parking on double yellow lines close to the signalled junction on Gloucester Road or on double yellow lines close to the pedestrian crossing on Ashley Down Road. The parking of vehicles in these locations would reduce the visibility of pedestrians gathering in preparation to cross Gloucester Road and Ashley Down Road, which would increase the potential for conflict between road users and those using the crossings, which could result in crashes or injuries. Even if servicing of the ATM takes place on an infrequent basis, the threat to pedestrian safety at such times is significant. I have not been presented with satisfactory information to demonstrate how this risk of conflicts is or could be satisfactorily mitigated.

12. Furthermore, CVIT courier vehicles parked to the site frontage on Gloucester Road or close to the site on Ashley Down Road would hinder the free flow of vehicles. This impediment to the free flow of traffic may also disrupt buses and emergency services vehicles. Whilst this disruption would be temporary and confined to times when the ATM is being serviced, it remains that at these times, disruption to the free flow of traffic and associated highway safety implications likely arise. It has not been clearly demonstrated otherwise.
13. In light of the above, based on the evidence before me, the ATM's servicing gives rise to significant potential for conflict between highway users and pedestrians and is likely to compromise the free flow of traffic to the detriment of highway safety. Thus, the development conflicts with Policy DM23 of the Site Allocations and Development Management Policies Local Plan (2014) and Policy BCS10 of the Bristol Local Plan Core Strategy (2011) in so far as these policies require that development should not give rise to unacceptable traffic conditions, should ensure the provision of safe streets, and should provide appropriate servicing and loading facilities. I also find conflict with Section 9 of the National Planning Policy Framework (The Framework), which seeks to ensure development does not have unacceptable impacts on highway safety.

Other Matters

14. The appellant states that the ATM, which provides 24-hour banking services and has been designed to be accessible by wheelchair users and blind persons, is a valuable facility for the local community which makes an important contribution to the local economy and the general store which operates from the appeal property. It provides, I note, particular value to customers without access to online banking. The appellant states that the development is a commercially viable ATM, which indicates that there is a demand for this facility in this location. Furthermore, I acknowledge the appellant's comments regarding the recent trend for the loss of ATMs from High Streets.
15. Nonetheless, I observed that there is another ATM within the Gloucester Road Town Centre at a supermarket to the south of the appeal site. Therefore, whilst I acknowledge that no ATM is a permanent fixture, there are other opportunities for local residents and visitors to the area to gain access to an ATM. Thus, all relevant matters considered, I give limited weight to the contributions made by the ATM to the local economy and local community.
16. I also note that the ATM is of standard design in a well-lit open area, and that the Council has raised no objection to the effect of the proposal on the street scene. I see no reason to take a different view. Nonetheless, even in this context, the scheme's benefits do not outweigh the harm I have identified in relation to the main issue.

17. The development conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

Nichola Robinson

INSPECTOR