

The report is to consider application 14/00575/FUL which seeks retrospective planning permission for an ATM inserted within the retail frontage of 'Wood Pie'.

The application site contains a retail unit in a corner position of London Road and Ripon Avenue. The unit is split into retail use at ground floor, with residential use above.

**The statutory 8 week determination period for the application expires on the 8 October 2014**

**RECOMMENDATION**

Approve; subject to conditions relating to the following

- 1) The ATM shall only be operational between 6am and 12am only.
- 2) The lighting levels shall not exceed 800 cd/m<sup>2</sup>

**Reason for recommendation**

The ATM is considered to have an acceptable visual impact within the character of the area, and would not adversely affect the shop frontage. The hours of operation for the ATM can be limited in order to prevent any adverse impact upon the amenities of residents in terms of noise disturbance. The Highway Authority has viewed the application, and raise no objections to the development and as such it is considered that there would be no adverse impact upon the local highway network.

**Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with this application**

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

**Policies and Proposals in the approved Development Plan relevant to this decision:-**

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy 2006 - 2026 (Adopted 2009) (CSS)

Policy CSP1: Design Quality

Newcastle-under-Lyme Local Plan 2011 (NLP)

None

**Other material considerations include:**

Relevant National Policy Guidance:

National Planning Policy Framework (March 2012)  
National Planning Practice Guidance (2014)

## Relevant Planning History

A retrospective application for the ATM signage has been submitted in conjunction with this application and a report on that application, reference 14/00576/ADV, is also on this agenda.

## Views of Consultees

### **Highway Authority:**

No objections to the application subject to the lighting levels not being above 800 cd/m<sup>2</sup>

### **Environmental Health:**

No objections, subject to a limit on the hours of operation in order to protect the amenities of neighbouring residents.

### **Police Architectural Liaison Officer:**

No objections, and recognise that due to the loss of other ATMs in the area, that the development would be of use to local residents. Due to crime in other areas, they recommend that CCTV is utilised in the future.

## Representations

Five letters of representation have been received to date. A summary of the objections is provided below.

- Lighting to the ATM machine is bright resulting in disturbance of neighbours
- Traffic and parking issues created by the location of the ATM.
- Speed of vehicles using the ATM
- Noise caused by users of the cash machine, including cars and pedestrians
- Issues with the ATM are 24 hours per day
- No need for the additional ATM machine.

## Applicant/agent's submission

The application includes a Design and Access statement and addendum.

All of the application documents can be viewed at the Guildhall or using the following link.

[www.newcastle-staffs.gov.uk/planning/1400575FUL](http://www.newcastle-staffs.gov.uk/planning/1400575FUL)

## **KEY ISSUES**

The application site is located within a District Centre, and as such the principle of the provision of an ATM within a retail frontage is considered to be acceptable, subject to the impact upon the character of the area, amenity in terms of noise disturbance and visual disturbance and the local highway network.

### **Design and Character of the Area**

The application site is situated within an area of mixed character, including commercial and residential development.

The application is retrospective, and the cash machine has been in place for some time.

The ATM is of standard appearance, and its addition within the retail frontage of 'Wood Pies' is not considered to be detrimental to the appearance of the shop front, or character of the area.

### **Residential Amenity**

The cash machine is located in a mixed use area, with residential terraced properties located adjacent to the site. Several objections have been received by neighbours with regards to the impact the ATM has upon their amenity. Users of the cash machine can currently use it at any time of night or day, resulting in some disturbance from noise.

As the site is located in close proximity to residential properties, it is considered to be necessary to limit the hours of operation, to between 6am and 12am to prevent any adverse disturbance to neighbours from the ATM in terms of noise, of visual disturbance from the machine.

### **Highways**

The application site is located on London Road (A34). Several objections have been received with regard to issues surrounding parking, traffic and the implications upon the highway.

The parking associated with the cash point is unlikely to result in any greater impact that arises in association with the existing retail use on site. The use of the cash point can be limited and as such, this should prevent any further disturbance.

The Highways Authority was consulted as part of the application process and raises no objections to the proposal, subject to the luminance levels not raising above 800cd/m<sup>2</sup>. The ATM has lighting levels far lower than this, and as such the proposal is considered to have an acceptable impact upon highway safety.

### Background Papers

Planning File

Development Plan

### Date report prepared

23<sup>rd</sup> September 2014