

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2017/2958
<b>Site:</b>	105 Far Gosford Street
<b>Ward:</b>	St Michael's
<b>Applicant:</b>	Mrs Eileen Johnston
<b>Proposal:</b>	Installation of ATM (retrospective)
<b>Case Officer:</b>	Anne Lynch

**SUMMARY**

The application proposes to retain the ATM that has been installed in the shop frontage. Planning permission was refused for an ATM at these premises in December 2014 and dismissed at appeal. The ATM was removed and has now been re-installed. We were notified on 9<sup>th</sup> November that the ATM had been installed.

**KEY FACTS**

<b>Reason for report to committee:</b>	The property is owned by an Elected Member
<b>Current use of site:</b>	Retail unit (A1)
<b>Conservation Area</b>	Far Gosford Street Conservation Area

**RECOMMENDATION**

Planning committee are recommended to delegate the refusal of planning permission to the Head of Planning and Regulation, subject to no further representations being received raising material planning considerations that have not already been considered by Planning Committee.

**REASON FOR DECISION**

The proposal has a harmful effect on the Far Gosford Street Conservation Area and is therefore contrary to Policies DE1 and HE2 of the Coventry Local Plan 2016.

The development would be likely to increase levels of crime in the vicinity of the premises and is therefore contrary to Policy DE1 of the Coventry Local Plan 2016.

## BACKGROUND

### **APPLICATION PROPOSAL**

The application seeks the retention of an ATM that has been installed on the north elevation of the building adjacent to the main entrance. The ATM is situated directly next to the main customer entrance into the shop.

There is an illuminated advertisement surround to the ATM. No application for consent for the advertisement has been submitted.

The dimensions of the ATM and surround are approximately 0.87 metres wide and 1.4 metres high and set on a laminated panel that infills the remainder of the window.

### **SITE DESCRIPTION**

The site is a narrow-fronted retail unit on the southern side of Far Gosford Street at the entrance to Fargo Village. Far Gosford Street is a designated Conservation Area and a defined local centre. The area has undergone a number of improvements with premises being renovated in such a way as to respect the historic character of the Conservation Area. The removal of visually intrusive fittings to buildings has been key in the regeneration of this area.

### **PLANNING HISTORY**

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
FUL/2014/3757	The installation of an ATM installed through the glazed shop front replacing part of the existing glazing with a which laminate finished composite security panel incorporating the ATM fascia with black bezel surround and white illuminated lettering	Refused 6 <sup>th</sup> November 2014 and dismissed at appeal on 15 <sup>th</sup> July 2015
ADV/2014/3781	Advert display for ATM	Refused 6 <sup>th</sup> November 2014 and dismissed at appeal on 15 <sup>th</sup> July 2015

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF). The NPPF published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

## **Policy Guidance**

The Local Plan 2016 to 2031 was adopted by Full Council on 5 December (and was formalised on 6 December) and so will now act as the starting point when determining planning applications. The Policies in the CDP have now been superseded and therefore are no longer relevant in the determination of this application. The relevant Policies of the Local Plan include:

DE1 – Ensuring High Quality Design  
HE1 – Conservation Areas  
HE2 – Conservation and Heritage Assets

## ***Supplementary Planning Guidance/ Documents (SPG/ SPD):***

SPD Delivering a more sustainable city.

## **CONSULTATION**

Objections have been received from:  
Conservation (CCC)  
West Midlands Police

At the time of writing the report comments have not been received from:  
Highways (CCC).

Immediate neighbours and local councillors have been notified; a site notice was posted on 11<sup>th</sup> December 2017. A press notice will be displayed in the Coventry Telegraph on 14<sup>th</sup> December 2017.

At the time of writing the report no representations have been received. Any comments received prior to Planning Committee will be reported within the late representations.

## **APPRAISAL**

The main issues in determining this application are the impact on the Conservation Area and Safety and Security.

### ***Impact on the Conservation Area***

Policy HE1 of the Coventry Local Plan lists Far Gosford Street as a designated Conservation Area under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Policy HE2 of the Local Plan states that, in order to help sustain the historic character, sense of place, environmental quality and local distinctiveness of Coventry, development proposals will be supported where they preserve and, where appropriate, enhance those aspects of the historic environment which are recognised as being of special historic, archaeological, architectural, artistic, landscape or townscape significance. These heritage assets include Conservation Areas.

Policy DE1 seeks to ensure high quality design and states that all development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area. It further states that the setting, integrity and character of heritage assets will be protected in accordance with Policy HE2.

The application site occupies a prominent position within the Conservation Area with the ATM positioned in the front elevation and, together with the laminated panel, occupying the entire window to the right-hand side of the entrance door. The overall prominence is increased with the associated advertising although no application has been submitted for advertisement consent. Far Gosford Street has undergone visual improvements as part of the regeneration of the area and it is located at the entrance to Fargo Village. The ATM dominates the shop front and undermines the work that has taken place to improve the shop fronts along Far Gosford Street. The proposals do not preserve or enhance the character of the Conservation Area and are contrary to Policies H2 and DE1 of the Local Plan.

It should be noted that the previous appeal was dismissed where the Inspector concluded that the development has a harmful effect on the Far Gosford Street Conservation Area.

### ***Safety and Security***

The NPPF states the fear of crime is a material planning consideration. In seeking to ensure high quality design, Policy DE1 sets out key principles that all development will be expected to meet. These include the provision of attractive, safe, uncluttered, active and easily identifiable, high quality public spaces.

Due to the location of the ATM it conflicts with the basic principles of Secure by Design and West Midlands Police have raised a number of concerns. There have been a number of incidents of crime in the area. There are a number of take-away and fast food outlets close to the site and these encourage people to congregate and remain in the area longer than they would otherwise do. The Police believe this can offer would-be criminals a valid excuse to loiter in the area and observe the activity of the ATM. The ATM is in a corner location where users cannot see people approaching and is on a narrow pedestrian pathway which makes it difficult for pedestrians to pass the ATM user without making some form of contact. The Police have also raised concern about ram raiding with the absence of bollards. The proposals are therefore considered contrary to Policy DE1.

In considering the previous appeal, the Inspector concluded that, given the particular circumstances of the case, the development would be likely to increase levels of crime in the vicinity of the appeal premises.

### ***Conclusion***

The proposal has a harmful effect on the Far Gosford Street Conservation Area and is therefore contrary to Policies DE1 and HE2 of the Coventry Local Plan 2016.

The development would be likely to increase levels of crime in the vicinity of the premises and is therefore contrary to Policy DE1 of the Coventry Local Plan 2016.

## **REASON FOR REFUSAL**

**The proposed Automated Teller Machine (ATM) is considered contrary to Policies DE1 and H2 of the Coventry Local Plan 2016 by reason of:-**

**1) siting and design it appears as an incongruous feature in the streetscene which fails to preserve or enhance the character or appearance of the Far Gosford Street**

**Conservation Area and**

**2) The development would be likely to increase levels of crime in the vicinity of the premises and is therefore contrary to Policy DE1 of the Coventry Local Plan 2016.**