

## Appeal Decision

Site visit made on 18 September 2018

**by Andrew McGlone BSc MCD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 September 2018**

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**Appeal Ref: APP/J2373/W/18/3204012**

**15 Cocker Street, Blackpool FY1 2BY**

- 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 against the decision of Blackpool Borough Council.
  - The application Ref 17/0787, dated 15 November 2017, was refused by notice dated 3 January 2018.
  - The development proposed is the retention of an automated teller machine.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. I could see from my site visit that the automated teller machine (ATM) had already been installed. The ATM in situ reflects the details that are shown on the plans that are before me. I have determined the appeal on this basis.

### Main Issues

3. The main issues are: (i) whether or not the proposal makes adequate arrangements to reduce crime and the fear of crime; and (ii) the effect of the proposal on the character and appearance of the area.

### Reasons

#### *Crime*

4. The appeal site is a commercial property on the corner of Cocker Street and Dickson Road within an area characterised by a mixture of commercial and residential properties. A pedestrian footway wraps around the junction of Cocker Street and Dickson Road. Timber decking is in front of the ATM. The appeal site forms part of the Inner Area and the North Beach Resort Area.
5. The first aspect of the Council's first reason for refusing planning permission is that the appellant company has not demonstrated a need for the ATM. In forming this view, Goal 2 (objectives) and Policy CS12 of the Blackpool Local Plan Part 1: Core Strategy (2012 – 2027) (Core Strategy) are cited. However, neither requires a need to be demonstrated.
6. I shall turn to the other aspect of this reason for refusing planning permission. Lancashire Constabulary (the Police) highlight in their Crime Impact Statement

- (CIS) that there have been high levels of crime recorded in the last 12 months in the local area. Offences recorded include assaults, theft, burglary, drug offences and criminal damage. These have also been a number of ATM related crimes in Lancashire in the 12 months before the CIS was produced. ATMs are often targeted for various types of offence and the Police suggest a series of security measures to reduce the risk of ATM related crime.
7. This advice is against the backdrop of the site being in an area which is, according to the evidence, ranked as the most deprived in terms of crime. This is not disputed by the appellant company, even though the evidence is based on 2015 figures. There is also no substantive evidence before me to suggest that the situation has changed.
  8. I recognise that the appellant company has tried to assimilate the ATM into its surroundings, and people are becoming accustomed to the service that it offers, but given the clear advice from the Police and crime figures, this should not be at the expense of security and reducing the risk of crime. Paragraph 95 of the National Planning Policy Framework (the Framework) explains that planning policies and decisions should promote public safety by anticipating and addressing possible malicious threats. The layout and design of developments should be informed by the most up-to-date information available from the police about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security.
  9. The ATM is positioned where there is a good amount of natural surveillance, clear lines of sight, and regular pedestrian and vehicular movements. The use of laminated glazing accords with the Police's advice. On the other hand the ATM could be subject to ram-raids due to the lack of bollards to prevent vehicles from leaving the roads at the junction. Also, the decked area and low brick wall could be suitable places for people to sit or congregate. Thus, users of the ATM could be intimidated and the level of natural surveillance reduced if views of the ATM are affected.
  10. I note the appellant company is willing to return to the site and install security mirrors, a wall light and pin shields. I do not have details of these, but these measures alone would not address my concerns. I agree with the Police that the other measures in terms of anti-ram-raid bollards and defensible space markings are necessary and would help reduce the risk of crime. I understand that CCTV serves the property, but I do not know if it is digital high-definition colour CCTV which can be stored for 30 days as per the advice. There are further measures advised that would also act as a deterrent to criminal activity.
  11. I note the decisions at 21 Queen Street (Ref: 13/0355) and 55-57 Abingdon Street (Ref: 13/0608), but I do not have the full details or the circumstances of each case before me to enable me to draw a comparison. Hence, the examples carry little weight.
  12. On this issue, I conclude that the proposal has not made adequate arrangements to reduce crime and the fear of crime to ensure public safety and security. While the ATM is accessible for all, the proposal does not create a healthy, safe, secure and attractive environment, and as a result does not accord with Core Strategy Policies CS7, CS12 and Goal 2 together with Framework paragraph 95.

### *Character and appearance*

13. The ATM is set within the centre of the Dickson Road frontage. Due to the premises location, and the splayed door entrance, the shop front facing Dickson Road is not extensive. The siting of the ATM in the centre does draw the eye and dominate the façade, even with the use of a stall riser and mullions. While it was unclear whether the ground floor of the premises was in use at the time of my site visit, the position of the ATM does occupy the area which would typically be used to create an active display. I note the appellant company wishes to attract people to use the ATM, and that the proposal is a small-scale form of development, but it does amount to visual clutter having regard to the character of the building and the street scene, which contains commercial premises with traditional shop fronts.
14. I note the appellant's willingness to remove the illumination and the green fascia panel from the ATM, but their removal would not address my concerns.
15. I conclude therefore, on this issue, that the proposal has a significant effect on the character and appearance of the area. As a result, conflict arises with saved Policies LQ1, LQ11 and LQ14 of the Blackpool Local Plan 2001/2016 and Core Strategy Policy CS7; which collectively seek, among other things, a high standard of design that has regard to or enhances the character and appearance of the building and the street scene.

### **Conclusion**

16. For the reasons set out above, I conclude that the appeal should be dismissed.

*Andrew McGlone*

INSPECTOR