



Appeal Decision

Site visit made on 4 July 2023

by A Veevers BA(Hons) DipBCon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th July 2023

Appeal Ref: APP/J2373/Z/22/3313655

Springfield Mini Market, 12 Springfield Road, Blackpool FY1 1QL

- 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 Blackpool Council.
 - The application Ref 22/0612, dated 5 July 2022, was refused by notice dated 4 October 2022.
 - The development proposed is described as 'the retention of an automated teller machine and associated signage'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant submitted joint planning and advertisement applications to the Council. However, an appeal has only been made in relation to the planning application.
3. Following submission of the appeal, the Council adopted a new development plan, the Blackpool Local Plan Part 2: Site Allocations and Development Management Policies, adopted February 2023 (SADMP). The Council have confirmed that Policies LQ1, LQ10, LQ11, LQ14 and BH3 of the saved Blackpool Local Plan 2001-2016 referenced on the decision notice, have now been superseded by Policies DM17, DM22 and DM27 of the SADMP. The status of the Blackpool Local Plan Part 1: Core Strategy, January 2016 (CS) remains the same. Both parties have been given the opportunity to comment on the matter as part of the appeal process. Therefore, I have considered the appeal having regard to the newly adopted SADMP and am satisfied that any references made to it within this decision would not be unreasonable to the parties.
4. The automated teller machine (ATM) has been installed and therefore I am considering this appeal retrospectively.

Main Issues

5. The main issues are:
 - The effect of the development on the character and appearance of the host property and area, and whether the development preserves or enhances the character or appearance of the Blackpool Town Centre Conservation Area; and

- Whether or not the development would increase the risk of crime and the fear of crime.

Reasons

Character and Appearance

6. The appeal site is a commercial premises currently operating as a convenience store at ground floor on the corner of Springfield Road and General Street. The upper floors of the building are traditional in character, incorporating a projecting gabled feature to the Springfield Road frontage, decorative stone window heads and timber corbels. The ground floor projecting shop front faces both Springfield Road and General Street. The entrance is positioned on a splayed corner. Windows on the shopfront have been over-boarded with painted dark grey boards and the ATM has been installed through a dark laminate panel adjacent to the neighbouring residential property. There is currently no shop fascia sign nor any other signage around the ATM.
7. The site is located within the Blackpool Town Centre Conservation Area (BTCCA). Therefore, I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservations Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
8. The significance of the BTCCA derives from its collection of nineteenth century civic and commercial buildings, centred around the historic seafront and town centre. Springfield Road lies on the periphery of the extended BTCCA and is varied in character. It includes retail premises close to the junction with the Metropole Hotel on the Promenade and three storey relatively intact former lodging houses further from the seafront.
9. The building to which the appeal property is attached is known as Springfield House and is a substantial red brick three storey plus basement building that fronts Springfield Road behind a low brick wall with railings on top and stone gate piers. It adjoins an imposing architecturally designed Baptiste Tabernacle. Opposite the site is a former religious building and a block of stone bay fronted former lodging houses, now predominantly in use as flats. Although the shopfront of the appeal site has resulted in the loss of traditional features on this prominent corner building, the character and appearance of the surrounding area contributes positively to the significance of the BTCCA.
10. Policy DM22 of the SADMP states, amongst other things, that an ATM on a shopfront that would be a dominant feature on the frontage will not be permitted. Whilst the housing for the ATM matches the colour of the over-boarded shop windows and is relatively modest in scale, the ATM introduces an incongruous addition to the shopfront which dominates the blank panelled shopfront. It is at odds with the historic materials and proportions of Springfield House and nearby buildings. Consequently, it adversely affects the character and appearance of the host property and surrounding area.
11. The area is varied in character, with a range of different age and designs of building. Even if the ATM was placed through brickwork on the building rather than a glazed window, it, together with the associated dark laminate panel surround draws the eye to the blank and featureless shop front. This conflicts

- with Policy DM22 of the SADMP which requires ATMs that are placed within a shop window to be surrounded by clear glazing rather than a solid panel.
12. I note the appearance of the shop front prior to the installation of the ATM in the photographs provided by the appellant. Nevertheless, I find the ATM exacerbates the discordant appearance of the overall shopfront in the traditional historic context of the street scene. Consequently, it does not make a positive contribution to local distinctiveness or sense of place.
 13. In finding harm, I consider the ATM has a negative effect on the significance of the BTCCA as a whole and would result in 'less than substantial' harm within the meaning of the term in paragraph 202 of the National Planning Policy Framework (the Framework). Paragraph 199 of the Framework requires that great weight is given to the conservation of designated heritage assets, irrespective of the amount of harm identified. Paragraph 202 of the Framework requires that the harm is weighed against the public benefits.
 14. I acknowledge that the ATM offers a public benefit by providing access to cash for the community and services to those that do not have access to online banking. This supports their use of local businesses, maintaining and enhancing the vitality and viability of the town centre, thus aiding the local economy. However, I observed other ATMs within a short walking distance. No robust evidence has been provided to demonstrate that the ATM is well-used or that there has been a significant loss of such facilities in the area. I therefore attribute limited weight to the public benefits. As such, I find that the public benefits of the proposal do not outweigh harm to the significance of the conservation area.
 15. On the above basis, I conclude that the ATM harms the character and appearance of the host property and area. It fails to preserve or enhance the character or appearance of the BTCCA and causes less than substantial harm to its significance as a designated asset. In the absence of public benefits to outweigh this harm it conflicts with Policies CS7 and CS8 of the CS and Policies DM17, DM22 and DM27 of the SADMP which, amongst other things, seek to conserve and enhance the historic environment and to ensure development is of a high quality design that responds to any positive character of the area. It would conflict with the visual amenity and heritage protection aims of the Framework.

Crime and Fear of Crime

16. The appeal site is in area identified in the 2019 Indices of Deprivation as ranked first as the most deprived Lower Super Output Area (LSOA) nationwide for crime and health. The Council assert that ATMs are known to be targets for crime and therefore the proposal has the potential to encourage crime or increase crime the fear of crime and that a need for the ATM should be demonstrated, quoting Goal 2 and Policy CS12 of the CS. However, neither of these policies require the demonstration of need.
17. Nonetheless, section 12 of the Framework seeks development that creates, amongst other things, places that are safe, inclusive and accessible where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Policy CS12 of the CS pursues similar aims.

18. The ATM is located to the side of the building's frontage, less than 1m from the ground floor window of the adjacent residential property. Flats within 35 Springfield Road also have views of the site. The local street has street lighting and is a relatively busy through road. As such, users of the ATM benefit from a degree of natural surveillance gained from windows overlooking the site and more infrequently from users of the on-street parking along Springfield Road and the convenience store. Reference is made to CCTV at the site and evidence provided of the make and image storage capacity. An owner monitored alarm is also present on the building. There is a certain sense of safety based on these features.
19. An ATM has been installed at the site since February 2022 with no evidence of reported incidents of crime. In addition, the appellant has provided information detailing that there has been limited incidents of crime at ATMs within nearby postcodes which, on the evidence, are not regular targets for criminal activity.
20. I recognise that there are no security bollards or defensible space ground markings on the paved forecourt in front of the ATM. However, I note that the appellant is willing to provide additional safety protection features such as a privacy zone and security mirrors. These can be required by condition.
21. As such, notwithstanding the identified deprivation within the area, the location of the ATM does not appear to be inherently unsuitable in terms of increasing the risk of crime or the fear of increasing the risk of crime. On the basis of the evidence before me, and subject to the proposed conditions, the ATM would not increase the risk of crime or the fear crime in this area.
22. Therefore, I conclude that the ATM does not conflict with Goal 2 and Policy CS12 of the CS, which seek to ensure that development minimises opportunities for criminal behaviour, creates a safe and secure environment and develops safer neighbourhoods. It would not conflict with the Framework in relation to creating safe built environments that support community health and well-being. In addition, the ATM is an appropriate town centre facility and therefore, in this regard, I find no conflict with section 7 of the Framework which seeks to ensure the vitality of town centres.

Planning Balance and Conclusion

23. I have found that, on the evidence before me, the ATM does not increase the risk of crime or the fear of crime. However, this does not outweigh the harm identified with regards to character and appearance of the host property and the BTCCA.
24. For the reasons set out above, the ATM conflicts with the development plan when taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan.
25. I therefore conclude that the appeal should be dismissed.

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INSPECTOR