



---

# Appeal Decisions

Site visit made on 26 February 2013

**by Mr A Thickett BA(HONS) BTP MRTPI Dip RSA**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 11 March 2013**

---

**Meads News, 65 Leather Lane, London, EC1N 7TJ**

**Appeal A: APP/X5210/A/12/2184389**

**Appeal B: APP/X5210/H/12/2184397**

**Appeal C: APP/X5210/E/12/2184404**

- These appeals are made by Notemachine against decisions of the Council of the London Borough of Camden.
  - Appeal A is against the decision of the Council to refuse planning permission.
  - Appeal B is against the decision of the Council to refuse to grant express consent for an advertisement.
  - Appeal B is against the decision of the Council to refuse to grant listed building consent.
  - All appeals relate to the installation of an ATM machine.
  - Full details of the appeals are set out in Schedule 1 at the end of this decision.
- 

## Decision

1. The appeals are allowed and permission/consent granted in the terms set out in Schedule 2 at the end of this decision.

## Main Issues

2. The main issue with regard to Appeal A is the impact of the proposed development on the prevention and deterrence of crime.
3. The appellants shop is part of a Grade II listed building. The main issue with regard to Appeals B and C is the impact of the proposed works and advertisement on the character and appearance of the listed building.

## Procedural Matter

4. The description of the proposed advertisement given on the application and appeal form includes superfluous details regarding the installation of the ATM machine to which the proposed advertisement would be associated. I have amended the description to cover the proposed advertisement only.

## Reasons

### Crime

5. Leather Lane is a narrow street fronted on both sides by shops and cafés. The proposed ATM (cash) machine would be inserted in the shopfront of the appellant's newsagents shop. To the left of the shop (looking from the road) is a metal storage container and the market stalls in the road enclose the pavement. The Police Crime Prevention Design Advisor points to these and other obstructions and argues that, should an incident occur, there would be little surveillance or likelihood of anyone intervening.

6. The photographs submitted by the Council show that the metal container and street furniture have a limited impact on visibility up and down the street. Market stallholders were in the process of setting up at the time of my visit (about 11.00 hours) but the street was well used by pedestrians and no doubt gets busier later in the day.
7. There is no publicly operated CCTV in this part of the street but anyone using the cash point would be visible to stall holders and, whilst the market is in operation and at other times, others walking along the street and the pavement. The shop is also overlooked by the flats above the shops on the opposite side of Leather Lane.
8. One cannot guarantee the security of anyone using the ATM but I consider the level of passive surveillance to be sufficient to reduce the risk of crime to an acceptable level. The pavement outside the shop is not wide but I am not persuaded that the ATM would lead to queues which would significantly disrupt the flow of people along the street. I conclude, therefore, that the proposal does not conflict with Policy CS17 of the Camden Core Strategy 2010 and Policy DP12 of the Camden Development Policies 2010 - 2025.

#### Listed Building

9. The appellant's shop is part of a large building comprising of retail with residential above, built as part of a housing scheme by London County Council between 1905 and 1909. According to the listing description the building is listed as part of the last of the 3 major city centre housing estates built by London County Council before the First World War. As noted by the Council, the shop in common with many others in the street has lost its original features and the architectural value of the building lies in the detailing of the uniform upper floors.
10. The shopfront has a central pair of doors with windows either side. The ATM would take up about two thirds of the right hand window and sit in a solid composite panel. The proposed, advertisement, comprising the word 'cash' would be above the machine. The installation would reduce views into the shop but the windows are already obscured by plastic sheets and an internal box containing rolling advertisements. The Council have no objection to the ATM machine being set into a glazed panel. However, looking at the submitted plans, little if anything would be gained as the machine would be framed by narrow glazed strips, offering little in terms of views in or light out of the shop.
11. The modern nature of the shopfront and the commercial appearance of the building at street level is such that I do not consider that the ATM and associated advertisement would have an adverse impact on the listed building. For the same reasons, I consider that the proposals would preserve the character and appearance of the Hatton Garden Conservation Area. I conclude that the proposed ATM would not conflict with Policy CS14 of the Core Strategy and Policies DP24, DP25 and DP30 of the Camden Development Policies and that advertisement would not have an adverse impact on visual amenity.

## **Conditions**

12. Neither party submitted suggested conditions and the Council declined my offer to submit conditions. The shopfront is wholly modern and nothing is submitted to show that the historic fabric of the building would be affected by the installation of the ATM. Consequently, with regard to the planning and listed building consent appeals, I see no need to impose conditions other than the standard conditions relating to the time limit for implementation and that development is carried out in accordance with the submitted plans. I also see no need to add to the standard advertisement conditions.

## **Conclusions**

13. For the reasons given above and having regard to all matters raised, I conclude that the appeals should be allowed.

*Anthony Thickett*

Inspector

## **Schedule 1**

### **Appeal A: APP/X5210/A/12/2184389**

#### **Meads News, 65 Leather Lane, London, EC1N 7TJ**

- 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 Notemachine against the decision of the Council of the London Borough of Camden.
  - The application Ref 2012/2943/P, dated 25 May 2012, was refused by notice dated 7 September 2012.
  - The development proposed is the installation of an ATM installed through the glazed shopfront. Replacing part of the existing glazing with a white laminate finished composite security panel incorporating the ATM fascia with blue bezel surround and illuminated red cash sign. Introduction of a new matching vertical glazing mullion to the right hand glazing frame. Reglazing to the left and infilling to the right with the security panel and ATM.
- 

### **Appeal B: APP/X5210/H/12/2184397**

#### **Meads News, 65 Leather Lane, London, EC1N 7TJ**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
  - The appeal is made by Notemachine against the decision of the Council of the London Borough of Camden.
  - The application Ref 2012/3002/A, dated 25 May 2012, was refused by notice dated 7 September 2012.
  - The advertisement proposed is the installation of an illuminated red cash sign.
- 

### **Appeal C: APP/X5210/E/12/2184404**

#### **Meads News, 65 Leather Lane, London, EC1N 7TJ**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Notemachine against the decision of the Council of the London Borough of Camden.
- The application Ref 2012/3666/L, dated 13 July 2012, was refused by notice dated 7 September 2012.
- The works proposed are alterations to shop front. Addition of new matching vertical glazing mullion. Re glazing to the left and infilling to the right with a new composite security panel incorporating an ATM fascia. Notemachine blue bezel surround and internally illuminated red CASH sign with illuminated white lettering.

## **Schedule 2**

### **APP/X5210/A/12/2184389**

The appeal is allowed and planning permission is granted for the installation of an ATM installed through the glazed shopfront. Replacing part of the existing glazing with a white laminate finished composite security panel incorporating the ATM fascia with blue bezel surround and illuminated red cash sign. Introduction of a new matching vertical glazing mullion to the right hand glazing frame. Reglazing to the left and infilling to the right with the security panel and ATM at Meads News, 65 Leather Lane, London, EC1N 7TJ in accordance with the terms of the application, Ref 2012/2943/P, dated 25 May 2012 subject to the following conditions:

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: ATM Retail Ref: SI10140.

### **APP/X5210/H/12/2184397**

The appeal is allowed and consent is granted for the display of the advertisement as applied for. The consent is for an illuminated red cash sign and is subject to the five standard conditions set out in the Regulations.

### **APP/X5210/E/12/2184404**

The appeal is allowed and listed building consent is granted for alterations to shop front. Addition of new matching vertical glazing mullion. Re glazing to the left and infilling to the right with a new composite security panel incorporating an ATM fascia. Notemachine blue bezel surround and internally illuminated red CASH sign with illuminated white lettering at Meads News, 65 Leather Lane, London, EC1N 7TJ in accordance with the terms of the application Ref 2012/3666/L, dated 13 July 2012 and the plans submitted with it subject to the following conditions:

- 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: ATM Retail Ref: SI10140.