

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>03/08/2012</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		12/07/12 and 08/06/12	
<b>Officer</b>				<b>Application Number(s)</b>			
John Nicholls				2012/2971/P and 2012/3014/A			
<b>Application Address</b>				<b>Drawing Numbers</b>			
126 Camden Road London NW1 9EE				See decision notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
<ol style="list-style-type: none"> <li>Retention of ATM installed in front elevation of existing glazed shop front (Class A1)</li> <li>The retention of an internally illuminated sign above automated teller machine (ATM).</li> </ol>							
<b>Recommendation(s):</b>		Refuse Planning Permission and Advertisement Consent and Warning of Enforcement Action to be Taken					
<b>Application Type:</b>		1) Full Planning Permission 2) Advertisement Consent					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>04</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		A one off site notice was displayed on 21/6/2012. No comments have been received as a result of this notification process.					
<b>CAAC/Local groups* comments:</b> *Please Specify		Within the Camden Broadway Conservation Area but this does not have a CAAC.					
<b>Site Description</b>							
The subject site is located on the east side of Camden Road. The subject building is a mid-terrace property stepping back from adjoining property 128 Camden Road. The application relates to the ground floor shopfront.							
The property is not a listed building but is located within the Camden Broadway Conservation Area.							

## Relevant History

2011/0970/P and 2011/0975/A – The retention of an internally illuminated sign above automated teller machine (ATM) and ATM – Refused and enforcement recommendation to remove the existing ATM and advert - 12/08/2011 – however this notice has not yet been served.

## Relevant policies

### LDF Core Strategy and Development Policies

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

CS17 - Making Camden a safer place

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

DP30 – Shopfronts

PPG19 Outdoor Advertisement Control

Camden Planning Guidance 1: Design

NPPF 2012

## Assessment

### Proposal

Planning permission is sought for the retention of an Automated Teller Machine (ATM) within the eastern most panel of the shopfront and for an internally illuminated sign above the ATM. This is an identical proposal to that which was refused on 12<sup>th</sup> August 2011 (Refs: 2011/0970/P and 2011/0975/A). As a result of that recommendation an enforcement notice should have been served, but this has not yet happened.

### Design

The proposed ATM is of relatively small scale and considered to be sympathetically located within the framework of the shopfront, which is of little architectural or historic merit. The ATM will be 0.6m in width and 0.8m in height, located a minimum 0.8m above ground level. The application site is located within a parade of shopfronts of little historical or architectural merit and as such the ATM is not considered to significantly detract from the parade and is considered satisfactory in design terms.

### Amenity / Community Safety

The recessed wall reduces surveillance and the bus stop may provide a legitimate reason to loiter and assess possible victims. So this location may not be suitable for an ATM.

ATMs are considered to be potential generators of crime. Policy CS17 states that the Council will expect all development to incorporate design principles which contribute to community safety and security. The Metropolitan Police Crime Prevention Design Advisor was consulted on the original application and raised concerns then regarding the reduced surveillance due to the recessed wall and providing opportunities for concealment and the proximity of the bus stop giving a legitimate reason to loiter around the ATM. Circumstances have not changed in the intervening 12 months and so his comments still apply.

As the issue is the location of the ATM, specifically the recessed wall and the proximity of the location to the bus stop there are not considered to be any design measures that can be incorporated to mitigate this problem. Whilst the installation of a CCTV camera may serve to increase police chances of catching offenders, this is not considered a sufficient preventative measure to address the issues of community safety and security and the proposal is therefore not considered to comply with policy

CS17.

### Signage

The concurrent application is for the retention of illuminated signage directly above the ATM. The sign is plastic with an illuminated background featuring the letters cash in white. The CPG states that signage must respect local character and expressly discourages internally illuminated box and fascia signage. If the ATM were considered acceptable it is likely that the sign would be also be acceptable.

However, with the removal of the ATM as is recommended, the sign alone would read as an incongruous element in the middle of the shopfront and would be out of keeping with the rest of the parade where signage is located at fascia level. As such the signage is not considered to respect local character, contrary to CPG and considered to harm the character and appearance of the shopfront, streetcene and surrounding area contrary to DP24.

### **Recommendation 1:**

1. That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended *requiring the removal of unauthorised ATM* and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

### **The Notice shall allege the following breach of planning control:**

The unauthorised installation of an ATM with associated advert to shopfront.

### **WHAT THE APPLICANT IS REQUIRED TO DO:**

- 1) Remove the unauthorised ATM from the shopfront.
- 2) Shopfront glazing to be replaced following removal of ATM.

### **PERIOD OF COMPLIANCE**

The Notice shall require that is removed within a period of 3 months of the Notice taking effect.

### **REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE.**

1. The proposed ATM would create opportunities for crime and anti social behaviour, by reason of its location and as such would causing harm to public and pedestrian safety and security contrary to policy CS17 (Making Camden a safer place) of the London Borough of Camden Core Strategy Development Plan Document.

### **Recommendation 2: Refuse Advert Consent**

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