



Appeal Decision

Site visit made on 23 & 24 March 2009

by **Graham Garnham BA BPhil MRTPI**

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

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Decision date:
30 April 2009

Appeal Ref: APP/X5210/A/08/2089706
294 Gray's Inn Road, London, WC1X 8DX

- 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 Bankmachine Ltd against the decision of London Borough of Camden Council.
- The application (Ref 2008/1429/P), dated 11 March 2008, was refused by notice dated 8 May 2008.
- The development proposed is installation of an Automated Teller Machine.

Decision

1. I allow the appeal and grant planning permission for the installation of an Automated Teller Machine at 294 Gray's Inn Road, London, WC1X 8DX in accordance with the terms of the application Ref. 2008/1429/P dated 11 March 2008, and the plans submitted therewith, subject to the following conditions:
 - 1) The development hereby permitted shall begin before the expiration of three years from the date of this decision.
 - 2) Before the Automated Teller Machine hereby approved is installed, details of a scheme of dedicated exterior lighting above the ATM shall be submitted to and approved in writing by the local planning authority. The scheme shall be operational before the ATM is brought into use and shall be thereafter maintained.
 - 3) Before the Automated Teller Machine hereby approved is installed, details of a dedicated CCTV scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be operational before the ATM is brought into use and shall be thereafter maintained.
 - 4) Before the Automated Teller Machine hereby approved is brought into use, a privacy zone shall be painted onto the pavement in front of it.

Main issue

2. I consider that this is whether the proposal would be likely to contribute to crime and anti-social behaviour in the area.

Reasons

3. The Council's case is supported by an objection to the proposal from the Crime Prevention Design Advisor at Holborn Police Station. This is backed up by reference to an undated extract from a report that appears to be about the Calthorpe Project. The report does not mention Frederick Street, at the corner of which the appeal site is located, as being among the problem areas. There is also no mention of "honey pots" in relation to anti-social behaviour. This is

despite the closeness of 2 hot food takeaways to the appeal site, and the presence of 2 off licenses between it and the Project.

4. Gray's Inn Road is a main road that is quite well trafficked in the evening. Street lighting is to a good standard. The site is overlooked from its upstairs accommodation and the block of flats opposite. I noticed no signs of anti-social behaviour in the area at around 2130 hours. One hot food takeaway was open for business as was one of the off licenses. Some young people were on the Project playing pitch. I observed no signs of vandalism or graffiti near the appeal site. Refuse outside premises awaiting collection was not disturbed. Vehicular and pedestrian activity was much higher at around 1300 hours the next day. The day time visit did not reveal any other signs of anti-social behaviour nearby.
5. The appellant's own security advisor's expert opinion is that the ATM would present no bigger risk for users than any other street ATM in operation. He also states that no ATM crimes have been reported in the WC1X postcode area between 2005 and the first quarter of 2008. The appellant has suggested 3 measures to further enhance security and address fear of crime – additional lighting, a dedicated CCTV system, and a privacy zone on the pavement. These could be secured by means of planning conditions.
6. The Council is quite properly concerned to prevent crime and the police are wary of potential sources of trouble. However, these parties have not addressed the appellant's detailed submissions and suggestions. I am not persuaded on the evidence before me that the siting of the proposed ATM is likely to give rise to significantly greater risk to community safety than any other 'shopfront' installation, for example that in place 2 blocks to the north. Consequently I conclude that, subject to the conditions to improve security and reduce the fear of crime at the site, the proposal would not be likely materially to contribute to crime and anti-social behaviour in the area. There would be no conflict with the purposes of policy SD1 in the Camden Replacement Unitary Development Plan (June 2006).
7. The Council considers, and I agree, that the small scale and discrete addition to a modern shopfront that is proposed is acceptable in design terms and would preserve the character and appearance of the Bloomsbury Conservation Area.
8. I have considered all other matters raised but they do not alter my decision.

G Garnham

INSPECTOR