

Delegated Report		Analysis sheet		Expiry Date:		07/04/2016	
		N/A / attached		Consultation Expiry Date:		25/02/2016	
Officer				Application Number(s)			
Jagdish Akhaja				2016/0478/P and 2016/0511/A			
Application Address				Drawing Numbers			
Unwins Wine Merchants 84 Marchmont Street London WC1N 1AG				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Planning permission - Installation of an ATM machine into the shopfront. [Retrospective] Advertisement consent - Display of 2x internally illuminated ATM signs. [Retrospective]							
Recommendation(s):		Planning application - Refuse Planning Permission and Warn of Enforcement Action to be taken Advertisement consent application – Refuse Advertisement Consent					
Application Type:		1) Full Planning Permission 2) Advertisement Consent					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	17	No. of responses	03	No. of objections	03
				No. electronic	00		
Summary of consultation responses:		2 letters of objection from - 1 st Floor Flat, 96 Marchmont Street and Flat 4 , 84 Marchmont Street. ATM creates clutter and litter around and there are other ATM's available nearby.					
CAAC/Local groups* comments: <small>*Please Specify</small>		Marchmont Association object for the following reasons. - Loss of the large shop window in this Edwardian terrace of shops, which is highlighted as a positive contributor to the Bloomsbury Conservation Area. - The ATM destroys the character of the shop front and harms the appearance of this historic terrace/street. - Other ATM is available nearby and it will not benefit the local community. - It would increase clutter and crime on the street					
Site Description							
The site is a four storey building on the east side of Marchmont Street, built mainly dating from the late Victorian/Edwardian period. The application relates to the retail unit (Class A1) at ground floor level, located next to the residential entrance for the flats above. The site lies within the Bloomsbury Conservation Area and is identified as a positive contributor to the conservation area. The shopfront is listed as a shopfront of merit.							
The site also lies within the Marchmont Street Neighbourhood Centre. There are a notable number of listed buildings in the street, with more widespread late 19th and 20th century development along the Marchmont Street and surrounding area.							

Relevant History

2011/5559/P- Replacement of existing front shop to retail unit (Class A1). Granted and Warning of Enforcement Action. 10/01/2012

EN11/0652- Alteration to shopfront without planning permission. Subsequent planning application granted, and breach ceased 12/09/2012

EN08/0483- New metal security shutters. The solid shutters were replaced with a semi-solid design, and breach ceased 08/06/2011

CA/1998- At 84 Marchmont Street, WC1 An internally illuminated fascia to read 'Unwins' in white lettering on a green background and 'Wine Merchants' in green lettering all on a yellow background. Granted -05/06/1972

Other relevant applications

2012/2971/P- Retention of ATM installed in front elevation of existing glazed shop front (Class A1)- **Refused** and Warning of Enforcement Action to be Taken 03/08/2012

2012/5305/P- Installation of an Automated Teller Machine (ATM) to front elevation of shopfront. **Refused** – 30/11/2012

Relevant policies

National and Regional Policy

National Planning Policy Framework (2012)

The London Plan 2016

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth

CS14 – Promoting high quality places and conserving our heritage

CS17 – Making Camden a safer place

Development Policies:

DP17 – Walking, cycling and public transport

DP24 – Securing high quality design

DP25 – Conserving Camden's Heritage

DP26 – Managing the impact of development on occupiers and neighbours

DP30 - Shopfronts

Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Camden Planning Guidance 2015

CPG1 (Design) Chapter 1, 2 3, 7& 9

Assessment

1 Proposal:

- 1.1 Planning permission is sought for the retention of an Automated Teller Machine (ATM) to the shopfront and 2x internally illuminated signs above the ATM. The ATM has been inserted into the glass shopfront with a large solid panel surround taking up the entire glass panel of the shopfront prior to permission being sought, accordingly an enforcement case has been opened.
- 1.2 The application is assessed in terms of design and public safety for the retention of the ATM

2. Design

- 2.1 Camden Planning Guidance 1 - Design advises that cash machines are only likely to be acceptable provided they are:
- Treated as an integral part of a building's design wherever possible
 - Not dominant in the shop display frontage in terms of size or materials
 - Positioned sensitively and not be located where queuing could cause problems
 - With minimal amount of display material
 - Located on the busiest elevation of a building to reduce the risk of robbery
 - Fully accessible to disabled people in both location and detailed arrangement
 - In existing bank buildings of traditional design inserted into existing stone recesses or beneath window bays.
- 2.2 Bloomsbury Conservation Area Statement says that (5.33, 5.45, 5.46, 5.103) 'in all cases the Council will expect original architectural features and detailing to be retained, repaired, protected, or refurbished in the appropriate manner, and only replaced where it can be demonstrated that they are beyond repair. All historic shopfronts within the Conservation Area contribute to the special character and their retention is particularly important. The Council expects all historic shopfronts to be retained and restored in the appropriate manner. Inappropriate and poorly designed shopfronts detract from the character and appearance of the Conservation Area'.
- 2.3 It is considered that the cash machine would not be an integral part of the building's design as it would involve the complete loss of a half of the glazed shopfront. It significantly reduces the scale of shopfront and adds unattractive clutter to the frontage. The ATM and surround is a dominant addition which has a detrimental impact on the character and appearance of the historic shopfront identified as one of merit in the Bloomsbury Conservation Area Statement. It would thereby have a harmful impact on this part of the building and in turn the streetscene and wider conservation area.

3. Public Safety

- 3.1 Marchmont Street is predominately residential and ground floors are commercial. There is an effective footway width of at least 4m outside the ATM and therefore there are no concerns that there would be an impact on pedestrian movement. However the ATM is located adjacent to a gated residential entrance to flats on the upper floors. While the retail unit on which the ATM is located is open until 1:00am, there is limited visibility of users of the machine from the shop itself. Overall the surveillance is limited and to address concerns with security mitigation measures such as CCTV and cameras are recommended by the Council's crime advisor. These additions are not proposed as part of the proposal.
- 3.2 It is considered that given the location of the ATM and inadequate safety provision such as CCTV and lighting, the proposal would increase the crime and anti-social behaviour during the night time.

4.0 Advertisement consent application - 2016/0511/A

- 4.1 Consent is also sought for the retention of the advertisement surrounding the ATM. The sign is plastic with an illuminated background featuring the letters cash in white. CPG1 states that

signage must respect local character and expressly discourages internally illuminated box and fascia signage. Due to the scale of the ATM and surround in the shopfront the advert encompass a large proportion of the shopfront. The introduction of illuminated adverts of this scale within the centre of a shopfront is considered to be inappropriate and detrimental to the appearance of the shopfront and the wider area.

4.2 The signage is not considered to respect local character, contrary to CPG and considered to harm the character and appearance of the shopfront, streetscene and surrounding area contrary to DP24

Recommendation

Refuse planning permission and warn of enforcement action to be taken.
Refuse advertisement consent and warn of prosecution action to be taken.

6.0 ENFORCEMENT ACTION

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 installation of an ATM and surround panel to shopfront.

Reasons for issuing the notice:

- 1) The ATM and panel surround, by reason of its siting and design results in an overly dominant and incongruous addition which is detrimental to the character and appearance of the shopfront, host building and wider Bloomsbury Conservation Area and contrary to CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage) and DP30 (shopfronts) of the London Borough of Camden Local Development Framework Development Policies.
- 2) The ATM, by reason of its location and lack of surveillance would create opportunities for crime and anti-social behaviour, to the detriment of the safety and security, convenience contrary to policies CS9 (Achieving a successful Central London), CS17 (Making Camden a safer place), CS11 (Promoting sustainable and efficient travel), of the London Borough of Camden Local Development Framework Core Strategy; and policies DP21 (Development Connecting to the Highway network) of the London Borough of Camden Local Development Framework Development Policies.

What the applicant is required to do: Within a period of 3 months completely remove the unauthorised ATM and panel surround and reinstate a single panel of glass into the shopfront.