## WRITTEN APPEAL STATEMENT

**PLANNING APPLICATION REFERENCE: 2019/5889/P**

**ADVERT APPLICATION REFERENCE: 2019/6285/A**

**EN NOTICE: EN19/0926**

**APPEAL AGAINST REFUSAL OF PLANNING PERMISSION FOR THE ALTERATIONS OF THE EXISTING SHOPFRONT INCLUDING THE INSTALLATION OF AN ATM (RETROSPECTIVE) AT HIGHGATE ROAD POST OFFICE, 111 HIGHGATE ROAD, LONDON, NW5 1TR.**

**Background**

The property to which this applications relates, comprises of a ground floor mid terrace ground floor unit in use as a post office, located on the west side of Highgate Road. The unit is part of a modern four-storey building with self-contained residential flats on the upper floors. The site is slightly set back from the highway with two separate footways.

We have installed an ATM to the left hand side of the main entrance at Highgate Road Post Office. The ATM has been installed through an existing glazing panel as a through laminate installation. The application site building is not listed, nor is it located within a conservation area.

This Written Appeal Statement is submitted on behalf of Cardtronics UK Ltd (“the appellant”). This is a combined statement for the planning and advertisement refusals however appeals will still be submitted separately. An appeal will also be submitted for the enforcement notice EN19/0926 dated 3rd November 2020. We request the review to be conducted by the written procedure.

Please note, whilst the initial applications were including illuminated signage, this signage is now de-illuminated.

**Grounds of appeal**

In refusing the planning and advert applications, the council cite the below framework and policies:

Camden Local Plan 2017

* A1 (Managing the Impact on Development
* C5 (Safety and security)
* D1 (Design)
* D3 (Shopfronts)
* D4 (Advertisement)

It is entirely proper that the council should make reference to the range of policies which collectively have a bearing on the nature of developments which are appropriate within the area. Equally, it is crucial that the council have a proper understanding of the policies and be selective in those that apply in any given set of circumstances. The policies and guidance referred to above and cited as justification for the decision to refuse, lack any persuasion when it is considered that the application is for a small ATM in a shopfront with an absence of redeeming features and no substantial evidence this is a catalyst for crime.

The first planning refusal reason states:

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| 1. *The proposed Automatic Teller Machine and associated alterations to the shopfront, by virtue of its design, are an unsympathetic feature in the shopfront which would be detrimental to the character and appearance of the host building and wider area, contrary to policies A1 (Managing the Impact on Development), D1 (Design) and D3 (Shopfronts) of the Camden Local Plan 2017.*
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Whilst we have introduced a modern feature, we have done so in a way that does not adversely harm this building or area. We tried to keep the design of the ATM, in the location that was chosen, as sympathetic to the character of the area as possible without compromising security.

The signage is relatively small and an appropriate design given it is in-keeping with the existing modern shop front. The neighbouring shops on the ground floor of this property lacks any cohesive design with a variety of fascia and shop-front types and sizes.

ATM’s are a recognisable feature throughout the UK and only the size of machine and signage tend to differ between companies. The shopfront is set back and shielded by trees, it is not highly visible. Furthermore, by removing the illumination the ATM will blend into the shop frontage.

Policy A1 of the Camden Local Plan 2017 aims to protect the quality of life of occupiers and neighbours. Given that the illumination has been removed we fail to see how else this ATM fails to comply with this section. The ATM doesn’t affect privacy, overshadowing and it doesn’t create transport, noise, odour or contamination issues.

Following the guidance in Policy D1 of Camden Local Plan 2017 it states that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The design of the ATM is very minimal and moderate in scale, it is very typical to see within a main high street. It is of a high quality of design, it is secure and there is no adverse impact on the local area, by its design it’s assessable to those with disabilities and the elderly.

Furthermore, the design should not be used to refuse development if it complies with local plan policies and contributes to the quality of an area by providing an essential service. Works done to the exterior of the building can be easily reversed and replaced to match with the existing frontage and returned it to its previous state.

Whilst we accept it’s the LPA’s view that the ATM does not improve the visual amenities of the area, why have ATMS’s been approved in Camden before?

**189 Queen's Crescent London NW5 4DS**

Application: 2014/6435/P

Planning approved 10-07-2015

**379 Kentish Town Road, London, NW5 2TJ**

Application: 2016/0154/P

Planning approved: 07-03-2016

Policy D3 of the Camden Local Plan 2017 encourages a high standard of design in new and altered shopfronts. The materials used in our installation are not uncommon, the ATM doesn’t appear out of character being a modern post office. The shopfront has no architectural or historic value and the site is not located within a conservation area.

Photo ‘E023087 BEFORE INSTALLATION’ shows the original shopfront which compromised of a large glazed sliding door and glazed panel half covered with vinyl advertisement. The glazed panel to the right of this section was not active window space since the internal counter covers most of the window.

Photo ‘E023087 AFTER IN STALLATION’ shows that we have moved the door over to the right create space for the ATM. The door is still a sliding design it’s just a standard size making better use of the space.

 The second planning refusal reason states:

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| 1. *The proposed Automatic Teller Machine, by virtue of its location, contributes to opportunities for crime and anti-social behaviour, contrary to policy C5 (Safety and security) of the Camden Local Plan 2017.*
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It is considered that the proposal has the potential to encourage or increase incidences of crime by presenting an opportunity for criminal activity. We have included a document about the ATM industry prepared for an ATM Security Working Group. The report notes that the ATM industry does not subscribe to the notion that a cash machine is a ‘Crime Generator’.

We are mindful that crime levels in large town areas are more likely to be higher; however the fear of crime will always exist. There is no evidence that I am aware of, to suggest that this machine is a catalyst for increased criminal activity in the area. This ATM was installed on **20/09/2019 and w**e are not aware of any **crime against it.**

The area surrounding the ATM is relatively open, within full view of pedestrians and motorists from Highgate Road. The site is well lit with strip lights across the shop front and street lamps nearby. It is protected by ram raids by use of metal railings, trees and bollards.

If there are any additional measures deemed to be required, the appellant are willing to consider these. For instance, we could include a privacy zone marked out on the pavement along with pin shields and security mirrors on the ATM.

Section 8 of the NPPF (National Planning Policy Framework) aims to promote healthy and safe communities, which:

*(c) Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs;*

*(d) Ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.*

Our ATM conforms as we have introduced a modern facility which benefits the local community by offering cash on demand and encouraging spending in the local area.

This ATM is a valued facility, as a business if an ATM is in demand we would do everything possible to keep it – not only for our benefit but for the local business the ATM is situated at and the local community. We monitor every ATM on our estate and if it’s not commercially viable it is removed.

Cardtronics UK Ltd are an Independent ATM Deployer (AID) and whilst we can’t determine the level of bank closures moving forwards, we wish to highlight and safeguard viable ATM’s, such as this one to maintain cash access within the cash infrastructure.

Whilst there are other ATMs within the area, our internal transaction figures for this ATM highlight high demand, it is a fundamental service required in the area.

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| **Month** | **Total Transactions** |
| May-20 | 1487 |
| Jun-20 | 1543 |
| Jul-20 | 1678 |
| Aug-20 | 1638 |
| Sept-20 | 1519 |
| Oct-20 | 1551 |

As well as the risk to individual ATMs, there’s a more systemic risk to the viability of the overall network of which 60% of the UK’s ATMs are run by independent operators (IADs) like Cardtronics UK Ltd.

In recent years, we’ve seen a rapid increase in the number of ATM’s that have been removed in the UK, leading to a loss of cash in the high street.

In July 2018 LINK, the UK’s largest cash network, commissioned Natalie Ceeney CBE to look at the future of access to cash across the UK. This was in response to the rapid decline in cash use and the growing concern by consumer groups about the closure of rural ATMs and bank branches, leaving people without easy access to cash.

 In the Final Report - March 2019, Natalie Ceeney states “It’s no longer good enough to see cash as just a commercial issue. It needs to be treated as a core part of the UK’s infrastructure.”

In the same report, the federation of Small Business said “As bank branches and ATMs close, cash is becoming less available, meaning its usage is dropping at an alarming rate, justifying further closures”. In order to keep cash viable, five recommendations are highlighted, the review’s first recommendation is to guarantee consumer access to cash – ensuring that consumers can get cash wherever they live or work.

The advertisement refusal reason states:

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| 1. *The internally illuminated advertisement by reason of its design, location and method of illumination, is an incongruous feature within the shopfront, causing harm to the character and appearance of the host building and the shopping parade contrary to policies A1 (Managing the impact of development), D1 (Design) and D4 (Advertisement) of the Camden Local Plan 2017.*
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This proposal is for the retention of an illuminated top and bottom sign and logo panel. However the illumination has since been removed. Compared to the size of the other adverts in the area, the signage here is fairly small and therefore has minimal impact on the amenity of the area. To suggest the advert appears incongruous is an overstatement.

By retaining this ATM we are positively contributing to the economy by providing a cash dispensing service to the local community in a location that is readily accessible. This encourages people to visit the local shops, spend money and therefore maintain and enhance the vitality and viability of the area. It also gives customers who don’t have online banking the opportunity to check their balance with ease. Our design is consistent with the NPPF and will improve the economic, social and environmental conditions of the local area.

**Summary**

The installed ATM provides a 24/7 service to the local community and it clearly complies with the policies of the City Development Plan. To suggest otherwise, at a vital time when ATM numbers are decreasing, is to distort and misinterpret the policies cited.

The substantial public benefits of the ATM within the community far outweigh the concerns with this minor intervention.

It’s no secret that during the current pandemic cash use has declined, which is why it’s vital we keep ATM’s transacting where cash is in demand.

We request the decision to refuse the application is overturned and the application is granted.