

<b>4/02576/18/FUL</b>	<b>INSTALLATION OF AN ATM UNIT</b>
<b>Site Address</b>	<b>BOVINGDON SERVICE STATION, CHESHAM ROAD, BOVINGDON, HEMEL HEMPSTEAD, HP3 0EB</b>
<b>Applicant</b>	<b>Tesco, Kestrel Way</b>
<b>Case Officer</b>	<b>Will Collier</b>
<b>Referral to Committee</b>	<b>Officer recommendation contrary to Parish objection.</b>

## **1. Recommendation**

1.1 That planning permission be **GRANTED**

## **2. Summary**

2.1 This application seeks planning permission for the installation of an ATM on the north side off the supermarket building, along the High Street, adjacent to the main entrance but set back from it.

2.2. The site is located in the Bovington Local centre, where mixed use is acceptable in principle in accordance with Policy CS4 of the Core Strategy (2013) and the NPPF (2018).

2.3. Whilst concerns are noted about disruption on the high street in terms of highway safety and noise, the proposed position of the ATM within the local centre and on a high street is considered appropriate, where there is already an expected level of noise and activity associated with a mix of uses. Furthermore, the provision of an ATM would serve a benefit to the community and support the function of the local centre. The proposal is considered a minor alteration to the building and as such has no significant impact on the character of the surrounding area. Therefore, in the absence of any adverse impacts that would significantly outweigh the benefits of the proposal, it is considered acceptable.

## **3. Site Description**

3.1 The application site comprises a food store (Tesco) and eight residential flats, on a prominent corner plot fronting two roads at the north-west end of Bovington High Street, currently under construction. The building is two and three storeys and L-shaped. Residential use is located both at ground floor and first floor levels above the superstore. Car parking and amenity space are located at the rear of the building

3.2 The site is within a designated local centre and area of archaeological importance.

## **4. Proposal**

4.1 The proposal is for an ATM on the north elevation facing the High Street, positioned adjacent to the main entrance. The ATM machine is recessed into the wall. A new light and camera will also be installed.

## **5. Relevant Planning History**

The original proposal for the supermarket and eight residential units was allowed on appeal in 2010. Subsequent planning history relates to matters such as non material amendments, discharge of conditions and advert consents.

## **6. Policies**

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

## 6.2 Adopted Core Strategy

NP1, CS1, CS4, CS8, CS9, CS12, CS13

## 6.3 Saved Policies of the Dacorum Borough Local Plan

Policies 10, 43

## 6.4 Supplementary Planning Guidance

- Environmental Guidelines (May 2004)
- Accessibility Zones for the Application of car Parking Standards (July 2002)

## 7. **Constraints**

- AREA OF ARCHAEOLOGICAL IMPORTANCE
- TOWN CENTRE/LOCAL CENTRE

## 8. **Representations**

### Consultation responses

8.1 These are reproduced in full at Appendix A

### Neighbour notification/site notice responses

8.2 These are reproduced in full at Appendix B

## 9. **Considerations**

### Main issues

9.1 The main issues to consider are:

- Policy and principle
- Impact on Street Scene
- Impact on Highway Safety
- Noise and disturbance
- Crime prevention

### Policy and Principle

9.2 In accordance with Policy CS4 of the Core Strategy (2013) a mix of uses in a town and local centre is encouraged. This includes shopping uses (including financial and professional services). The provision of an ATM will be ancillary to the principle retail uses and is considered acceptable in principle to a shopping frontage.

### Impact on Street Scene

9.3 Policy CS12 and the NPPF requires development to integrate with the streetscape character and respect adjoining properties in terms of layout, security, scale, etc. In this case the ATM is sited on the elevation facing High Street, adjacent to the residential part of the development. It is considered a minor alteration to the front elevation and as such has no significant impact on the appearance of the building or character of the streetscene.

#### Impact on Highway Safety

9.4 Concerns are noted about the highway impact of the ATM that it could lead to vehicles parking on the double yellow lines in order to access the ATM, causing disruption on the highway.

9.5 An alternative location at the back of the supermarket was sought with the agent to relocate the ATM, however this was considered to be impractical to implement because of ground floor level changes and fixed internal layouts.

9.6 It is considered the position of the ATM as proposed on the High Street rather than at the back of the building would be safer option, as the high street generally has more activity on it, and as a consequence better natural surveillance than at the rear of the building.

9.5 Whilst it may be possible to park illegally on the double yellow lines, this is not considered a sufficient reason alone to justify refusal of the ATM. Parking on the double yellow lines is illegal and a police matter which should be dealt with separately from planning. Moreover, the presence of double yellow lines is considered to be an advantage that prohibits parking, which would not otherwise be prohibited without such yellow lines.

9.6 It is noted there is no objection from the Highways Authority concerning highway safety.

#### Noise and disturbance

9.6 Concerns are raised about potential noise caused by 24-hour use of the ATM and consequent disturbance to neighbouring residents. Whilst it is possible to use the ATM late at night causing noise, it should be noted that the location is a high street, outside a supermarket and within a defined local centre where there is already a level of activity and noise associated with a mix of uses including shops and residential. It is not uncommon for ATMs to be located in this type of location. Furthermore, the ATM is considered to be a community benefit that would support the function of the local centre.

9.7 It is noted there is no objection from Environmental Health concerning noise pollution in this regard.

#### Crime Prevention

9.8 Whilst there were suggestions to relocate the ATM at the back to prevent disruption on the high street, this is considered a less favourable position in terms of personal safety and crime prevention, as there is generally more activity and natural surveillance on the high street.

9.9 It is noted the ATM will have a camera installed to help counter crime, but no bollards are proposed. It is thus recommended that an informative is included for the applicant to consider additional installation of anti ram-raiding measures. Comments from Herts Constabulary are awaited.

#### Response to Neighbour comments

9.10 These points have been addressed above.

CIL

9.11 Policy CS35 requires all developments to make appropriate contributions towards infrastructure required to support the development. These contributions will normally extend only to the payment of CIL where applicable. The Council's Community Infrastructure Levy (CIL) was adopted in February 2015 and came into force on the 1st July 2015. This application is not CIL Liabile.

#### S106 and Planning Obligations

9.12 Not applicable.

### **10. Conclusions**

10.1 The proposal to position the ATM on the north elevation along High Street is considered appropriate and is favourable in terms of personal safety over possible alternative location at the rear of the building. Concern is noted about possible parking on the double yellow lines, however the presence of double yellow lines is also an advantage that helps prohibit parking. Taking into account the benefits to the community and in supporting the function of the local centre, and the absence of adverse impacts to outweigh such benefits, the proposal is considered to be acceptable and thus adheres with Policies CS4, CS11 and CS12, Appendix 3 and Saved Policy 43 of the Local Plan (2004) and the NPPF (2018).

**11. RECOMMENDATION** – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

#### Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans/documents:</p> <p>17.009/031 17.009/032 17.009/033</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>
3	<p>The intensity of illumination shall be controlled at a level that is within the limit recommended by the Institution of Lighting Engineers in the publication 'Technical Report No 5: Brightness of Illuminated Advertisements'.</p> <p>Reason: So that drivers of vehicles along the adjacent public highway are not dazzled or distracted, leading to interference to the free and safe flow of traffic along the highway.</p> <p>Article 35 Statement</p> <p>Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted pro-actively in line with the requirements of the Framework</p>

	(paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.
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## Appendix A

### Consultation responses

HCC - Dacorum Network Area	No Objection

DBC - CONTAMINATED LAND	No Objection

DBC - CONSERVATION	No Objection

## Appendix B

### Neighbour notification/site notice responses

#### Objections

Address	Comments
MEMORIAL HALL, HIGH STREET, BOVINGDON, HEMEL Hempstead, HP3 0HJ	The ATM is proposed to be sited on the High Street at its narrowest point and where there will be double yellow lines on both sides of the road, thereby making it dangerous for people to access. It would also cause nuisance to the adjoining residential properties and those on the opposite side of the road. The Parish Council would support the provision of an ATM on the car park side of the Tesco building.