

Planning Committee

31 October 2013

Reference:
APP/13/01144

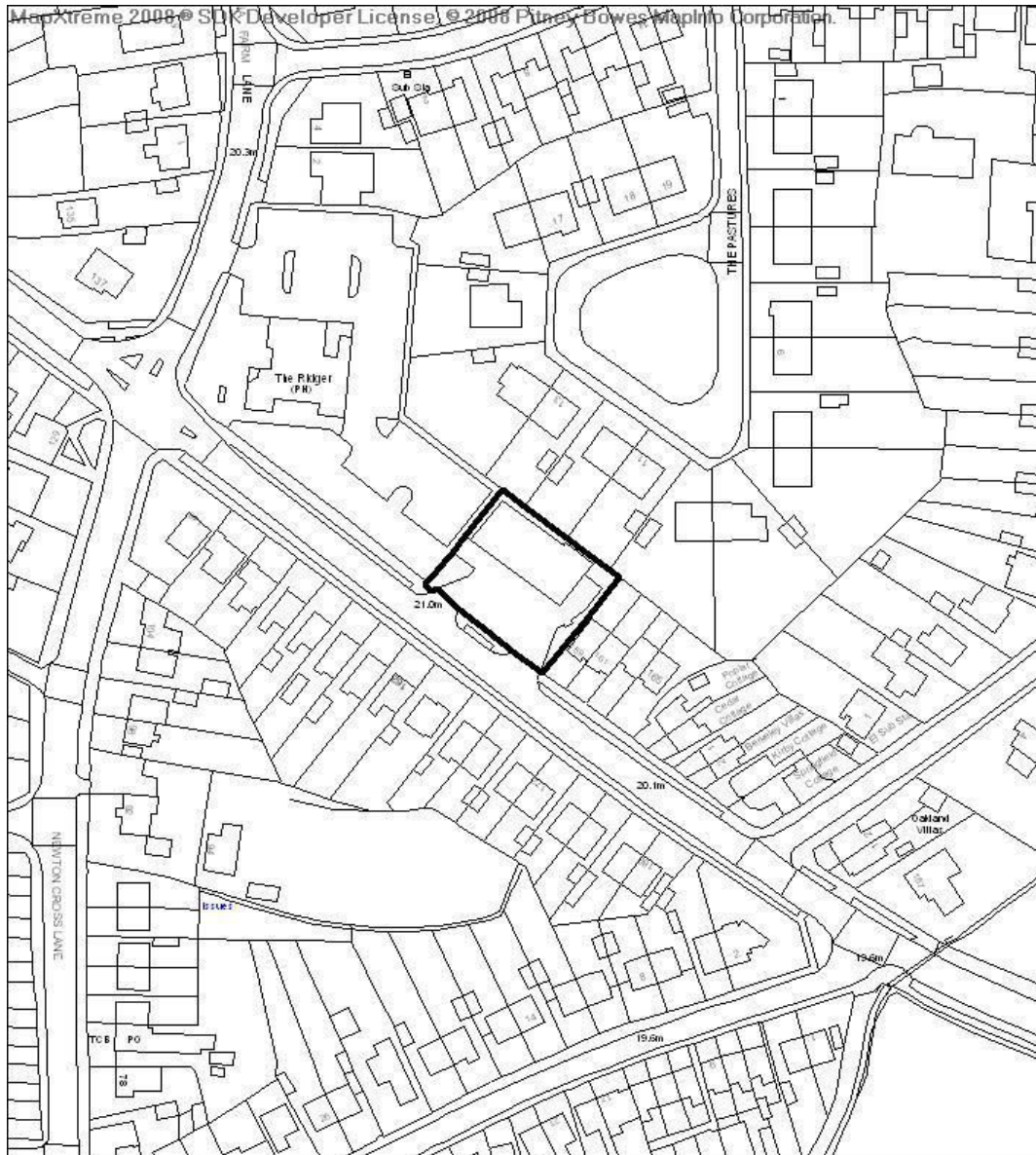
Area Team:
North Team

Case Officer:
Mr J Ashton

Ward:
**West Kirby and
Thurstaston**

Location: Co Operative Food Store, FRANKBY ROAD, NEWTON, CH48 9UU
Proposal: The installation of a new ATM and shopfront sections.
Applicant: The Co-operative Group
Agent : Wellsfield Associates

Site Plan:



Development Plan Designation:
Primarily Residential Area

Planning History:

- Location: Frankby Service Station, Frankby Road, Newton. L48 9UU
Application Type: Full Planning Permission
Proposal: Erection of a single storey front extension and lock-up container.
Application No: APP/92/05099
Decision Date: 27/03/1992
Decision Type: Approve
- Location: Co-operative store, FRANKBY ROAD, NEWTON, CH48 9UU
Application Type: Full Planning Permission
Proposal: Retrospective planning approval required for the installment of new external roller shutters.
Application No: APP/11/00935
Decision Date: 26/09/2011
Decision Type: Approve
- Location: Mobil Service Station, Frankby Road, Newton. L48 9UU
Application Type: Full Planning Permission
Proposal: Erection of a single storey front extension.
Application No: APP/94/06423
Decision Date: 04/11/1994
Decision Type: Approve
- Location: The Co-operative Store, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Full Planning Permission
Proposal: Installation of a 24 hr ATM cash machine.
Application No: APP/08/07008
Decision Date: 20/02/2009
Decision Type: Approve
- Location: Mitchell Skoda Dealership, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Full Planning Permission
Proposal: Change of use from existing car showroom to A1 food retail, associated car parking and landscaping, with erection of fencing and lighting columns.
Application No: APP/07/07403
Decision Date: 24/06/2008
Decision Type: Approve
- Location: Mitchell Skoda Dealership, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Advertisement Consent
Proposal: Replacement of existing sign over entrance and replace with non illuminated sign
Application No: ADV/06/06514
Decision Date: 22/09/2006
Decision Type: Approve
- Location: Mitchell Skoda Dealership, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Advertisement Consent
Proposal: Erection of an illuminated fascia sign
Application No: ADV/05/06988
Decision Date: 17/10/2005
Decision Type: Refuse
- Location: Frankby Service Station, Frankby Road, Newton. L48 9UU
Application Type: Full Planning Permission
Proposal: Erection of a car wash, perspex side screen and water storage tank.
Application No: APP/87/06406
Decision Date: 17/09/1987

Decision Type: Refuse

Location: Frankby Service Station ,Frankby Road ,Newton ,L48 9UU
Application Type: Full Planning Permission
Proposal: Minor alterations to building, new pump islands and pumps and new offset fill lines
Application No: APP/79/13491
Decision Date: 29/11/1979
Decision Type: Approve

Location: The Co-operative Store, 149 Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Advertisement Consent
Proposal: Erection of window advertisements.
Application No: ADV/09/05191
Decision Date: 27/03/2009
Decision Type: Approve

Location: Mobil Garage, Frankby Road,Newton,Wirral,L48 9UU
Application Type: Full Planning Permission
Proposal: Extension to garage workshop to form store.
Application No: APP/82/20943
Decision Date: 26/08/1982
Decision Type: Conditional Approval

Location: The Co-operative Store, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Advertisement Consent
Proposal: Erection of an internal advertisement which is visible from outside the building
Application No: ADV/08/06803
Decision Date: 10/12/2008
Decision Type: Withdrawn

Location: The Co-operative Store, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Full Planning Permission
Proposal: Minor amendments to Planning Approval APP/2007/7403 including air conditioning units, relocation of lighting columns, cycle parking, parking bays and fence to side of building
Application No: APP/08/06764
Decision Date: 13/03/2009
Decision Type: Approve

Location: Mitchell Skoda Dealership, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Advertisement Consent
Proposal: Erection of an illuminated fascia sign.
Application No: ADV/08/06516
Decision Date: 10/11/2008
Decision Type: Approve

Location: Mitchell North West Group, Mitsubishi Dealership, Frankby Road, Newton, Wirral, CH48 9UU
Application Type: Full Planning Permission
Proposal: Variation of Condition 6 attached to planning permission APP/1999/5235/D .(To increase the number of cars for sale spaces to11 and reduce the number of visitor spaces to 5).
Application No: APP/00/07086
Decision Date: 16/02/2001
Decision Type: Approve

Location: Mitchell North West Group, Skoda Dealership, Frankby Road, Newton, Wirral, CH48 9UU,
Application Type: Full Planning Permission

Proposal: Variation of condition no 6.on planning permission APP/98/6164/D to allow opening of the car sales showroom on four bank holidays per year : Easter Monday, Early May Bank Holiday, Spring and August Bank Holidays .

Application No: APP/03/05353
Decision Date: 25/04/2003
Decision Type: Refuse

Location: Mitchell North West Group, Mitsubishi Dealership, Frankby Road, Newton, Wirral, L48 9UU,

Application Type: Full Planning Permission

Proposal: Variation of condition 7 of planning permission APP/98/6164 to increase the number of cars for sale externally to 10.

Application No: APP/99/05235
Decision Date: 31/03/1999
Decision Type: Approve

Location: Mitchell, West Kirby, Frankby Road, Newton, Wirral, L48 9UU

Application Type: Full Planning Permission

Proposal: Erection of new showroom and extension to existing car repair bay (Amended Application) roof height raised at rear and external piers added to elevations.

Application No: APP/98/06164
Decision Date: 11/09/1998
Decision Type: Approve

Location: Former Filling Station, 157 Frankby Road, Newton, Wirral, L48 9UU

Application Type: Full Planning Permission

Proposal: Change of use from petrol filling station with workshop and MOT bay to car sales with workshop and MOT bay

Application No: APP/97/06572
Decision Date: 14/11/1997
Decision Type: Approve

Location: Mitchell Mitsubishi, Frankby Road, Newton, Wirral, L48 9UU

Application Type: Advertisement Consent

Proposal: Erection of an illuminated fascia sign and an illuminated pylon sign.

Application No: ADV/98/05633
Decision Date: 18/06/1998
Decision Type: Approve

Location: Mitchell, West Kirby, Frankby Road, Newton, Wirral, L48 9UU

Application Type: Full Planning Permission

Proposal: Erection of new showroom. and extension to existing car repair bay .

Application No: APP/98/05274
Decision Date: 03/04/1998
Decision Type: Approve

Summary Of Representations and Consultations Received:

REPRESENTATIONS

Having regard to the Council Guidance on Publicity for Applications, 13 letters of notification were sent to neighbouring properties and a Site Notice was displayed on the highway.

Five representations were received, which comprised four objections and one comment.

The comment, from the resident of 162 Frankby Road, relates to a neighbour notification error which was subsequently rectified.

Objections from 162 Frankby Road and 164 Frankby Road cite the following concerns:

1. Increased traffic movements
2. Increased demand for parking
3. Increased congestion
4. Increased noise pollution
5. Increased air pollution
6. Increased litter
7. Increased illumination
8. Potential for increased crime and increased fear of crime
9. Potential for increased "out-of-hours" activity

The resident of 159 Frankby Road cites several concerns about the shop that are not directly related to this application and requests a meeting with the developer to discuss these.

CONSULTATIONS

The Head of Environment and Regulation (Traffic and Transportation Division) was consulted and has no objections. Refer to Director's Comments.

The Architectural Liaison Officer for Merseyside Police commented as follows:

"Having looked at the detail of the application I recommend that the following minimum features need to be built into this facility, given its location and purpose:

As a crime prevention measure dedicated CCTV should be directed at the proposed facility to cover users of the ATM and to maximize the identification of offenders following any incident. These are normally flush wall mounted dome units installed above head height with a recording facility inside the premises.

It should be lit in such a way, during the hours of darkness that provides safety and compliments the quality of the images of the CCTV system.

The area in front of the facility should be marked in such a way as to prevent overcrowding when people use the ATM thereby increasing safety and security.

The machine will be installed in curtain walling; I recommend that the proposed bollard installation should be located so as to prevent any potential ram raid opportunities on the machine.

There is a significant risk of Robbery whilst replenishing these machines and given the loading access is from the more public shopping hall part of the supermarket I would recommend a risk assessment is undertaken to sufficiently protect cash-handler operatives, prior to any planning permission being given."

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

Clr Jeff Green requested this application be removed from delegation and considered by the Planning Committee following concerns raised by constituents that the installation of this ATM will adversely affect the residential amenity of neighbours.

INTRODUCTION

The proposal is for the installation of an ATM machine into the front of the existing Class A1 "Co-operative Food" store on Frankby Road (a Class B road), which will include the erection of an adjacent security bollard.

PRINCIPLE OF DEVELOPMENT

The site falls within a primarily residential area, although it sits on a main road between West Kirby and Greasby and adjacent to a public house. The addition of a non-residential use in a primarily residential area, such as this ATM and associated security bollard, is acceptable in principle, subject to meeting the criteria set out in Policy HS15 of the Wirral Unitary Development Plan.

SITE AND SURROUNDINGS

The application site is adjacent to Frankby Road. Frankby Road is predominantly residential in character although its status as a Class B road means that it is also a main route for traffic. The site consists of a medium-sized convenience store, housed in what was formerly a car-sales showroom. Architecturally, the building is quite plain and is of typical design for this type of retail store. The curtilage of the building is hard-surfaced, providing access and parking. The sides and rear of the site are predominantly bordered by high fencing, the frontage being open to the highway. The main materials used in the building are metal and plastic paneling with large areas of window to the front.

POLICY CONTEXT

The proposal will be assessed in accordance with Policy HS15 (Non-Residential Uses in Primarily Residential Areas) of the Unitary Development Plan. Policy HS15 seeks to ensure that non-residential uses in primarily residential areas are:

- Not of an inappropriate scale in relation to surrounding development
- Not detrimental to the character of the area
- Not likely to cause nuisance to neighbouring uses

The proposal will also be assessed against the National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The purpose of these policies is to help achieve sustainable development, which is defined as growth that ensures better lives for ourselves without harming the lives of future generations. There is a presumption in favour of sustainable development unless material considerations indicate otherwise.

APPEARANCE AND AMENITY ISSUES

The proposed ATM and associated security bollard are typical and simple in design. The ATM will be inserted into the end window of the shop front; the existing glass will be replaced with an opaque panel surrounding the machine. The bollard will be embedded into the existing surfacing in front of the ATM.

With reference to HS15, the proposal is not of an inappropriate scale in relation to surrounding development and it is not in itself detrimental to the character of the area. However, concerns have been expressed about the potential for nuisance to be caused to neighbouring uses (which are almost exclusively residential); these concerns are addressed below:

The potential for an increase in litter, generated by the use of the ATM, is largely hypothetical and whilst it is inevitable that the introduction of a new activity will likely generate some additional litter, this is not considered to be a reason for refusal.

It is acknowledged that there will be some additional traffic movements associated with the ATM, caused by additional traffic visiting the store premises which would not otherwise do so. This will, to a limited extent, add to any existing congestion and parking requirements. Extra vehicle movements will also add a proportionate amount of noise and air pollution additional to that which is already experienced in the locality. However, the number of such visits is not expected to generate a significant increase relative to the number of visits already associated with the shop. Further, it should be noted that the site sits alongside a Class B road which generates a higher amount of noise and air pollution that would ordinarily be the case in a primarily residential area, where the majority of roads are unclassified.

The nature of an ATM machine in an open-access car park will potentially generate visits to the site when the shop is closed which would not otherwise take place. However, the nature and frequency of these visits is not considered to be significant enough to warrant refusal, when considering that a higher proportion of traffic will be using Frankby Road during these hours than would ordinarily be expected in most primarily residential areas. Furthermore, the existence of the adjacent public house already generates some non-residential activity in the vicinity after the shop has closed.

Concerns expressed about the potential for increased crime (and fear of crime) are acknowledged. It is not, however, considered that this location is significantly more vulnerable to criminal activity than other locations where ATM machines are already in use, including those in primarily residential areas. Further, the provision of a security bollard is designed to deter "ram-raiding". In order to contribute to

prevention of additional crime which might be generated by use of the ATM, four conditions are recommended, including the installation of CCTV, a means of illumination and a painted exclusion zone, which are to be agreed in writing with the Local Planning Authority. The fourth condition concerns the permanent retention of the bollard included in the plans once it has been installed.

Concerns have been expressed about the requirement for additional lighting outside of the store opening hours. The application does not include the provision of additional lighting; however, it is recommended that a means of illumination be agreed with the Local Planning Authority as a contribution to crime prevention. There is an existing planning condition at the site regarding the switching-off of the car park lights outside of shop opening hours. This condition will not be altered by the approval of this application, which is specific to the car park. If attached to the shop elevation, such additional lighting would normally be permitted development, not requiring planning permission. It is not considered that illumination of the ATM and its immediate surrounds will create a significant nuisance for neighbouring uses, when considering the proximity of street lighting columns and the many lights associated with residential uses in the vicinity.

Taking into consideration the above, the proposal accords with the National Planning Policy Framework.

SEPARATION DISTANCES

Separation distances do not apply in this instance, given the type of development proposed.

HIGHWAY/TRAFFIC IMPLICATIONS

There are no significant highway implications relating to this proposal.

It has been agreed by the Head of Environment and Regulation (Traffic and Transportation Division), independently of this application, that Access Protection Markings might be considered for those residents requesting this and within a reasonable distance of the store, in order to reduce on-street parking in the vicinity. Such matters cannot, however, reasonably be required in relation to the current development proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to this proposal.

HEALTH ISSUES

There are no health implications relating to this proposal.

CONCLUSION

The proposal is in accordance with Policy HS15 (Non-Residential Uses in Primarily Residential Areas) of the Unitary Development Plan. The proposal also accords with the National Planning Policy Framework. The proposal is not of an inappropriate scale in relation to surrounding development. The proposal is not detrimental to the character of the area. The proposal is not likely to cause significant nuisance to neighbouring uses. The proposal is sustainable development.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is in accordance with Policy HS15 (Non-Residential Uses in Primarily Residential Areas) of the Unitary Development Plan. The proposal also accords with the National Planning Policy Framework. The proposal is not of an inappropriate scale in relation to surrounding development. The proposal is not detrimental to the character of the area. The proposal is not likely to cause significant additional nuisance to neighbouring uses. The proposal is sustainable development.

Recommended Decision: **Approve**

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved plans received by the local planning authority on 10th September 2013 and listed as follows: "2240.02", "2240.03" and "2240.01" (all dated August 2013).

Reason: For the avoidance of doubt and to define the permission.

3. Before development commences, a scheme showing the details of a painted cash machine privacy area shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of crime prevention.

4. Before development commences, a scheme showing the details of CCTV to be installed at the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of crime prevention.

5. Before use of the ATM commences, the bollard included in the plans shall be securely installed and retained as such thereafter.

Reason: In the interests of crime prevention.

6. Before development commences, a scheme showing the means of illumination shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of crime prevention.

Further Notes for Committee:

1. The Architectural Liaison Officer for Merseyside Police has commented that "There is a significant risk of robbery whilst replenishing these machines and given the loading access is from the more public shopping hall part of the supermarket I would recommend a risk assessment is undertaken to sufficiently protect cash-handler operatives [...]".

Last Comments By: 10/10/2013 15:29:57

Expiry Date: 05/11/2013