

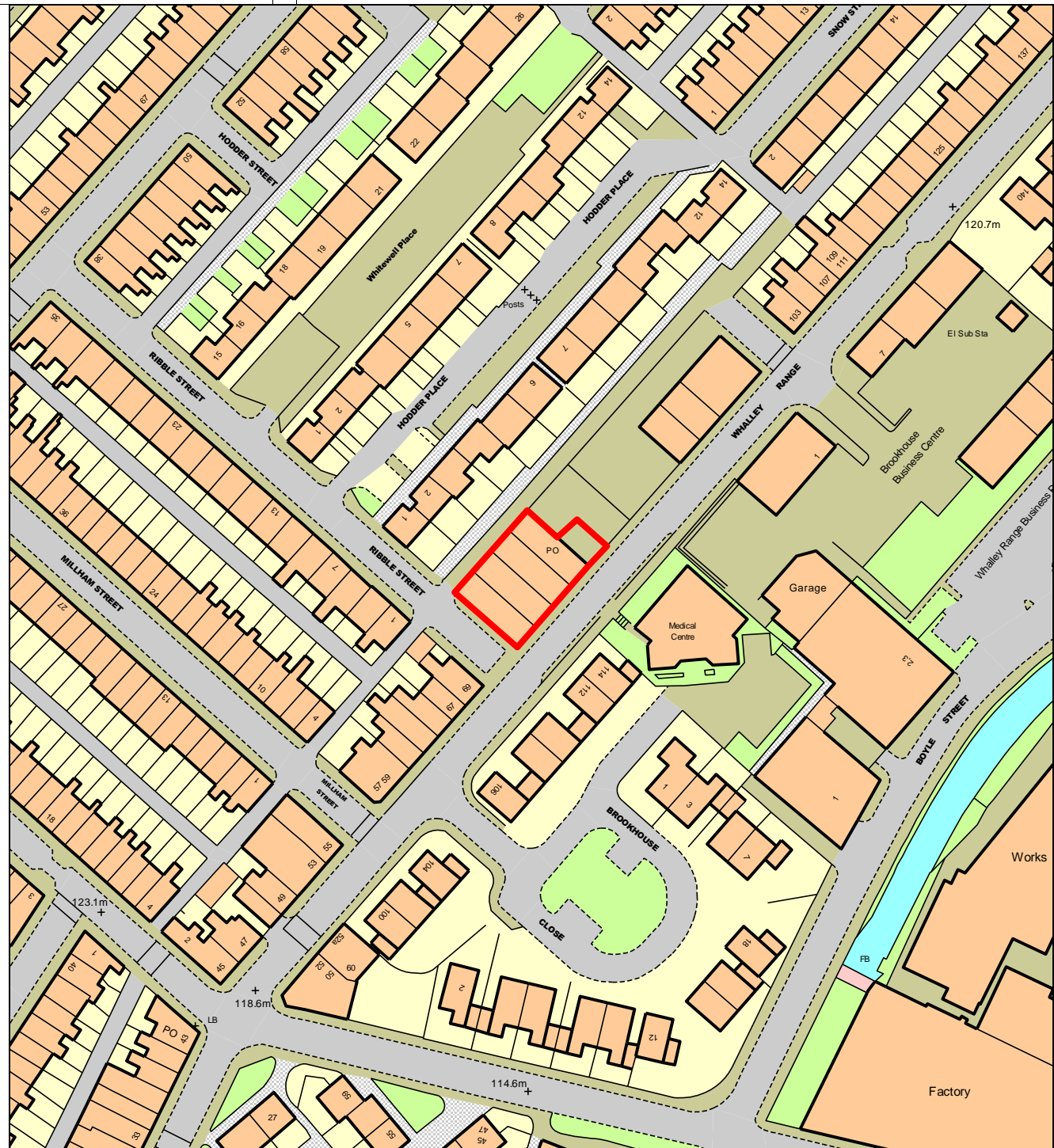
Proposed development: Full Planning Application for Installation of Bank of Ireland ATM into shop front glazing left of entrance.

Site address: 95 Whalley Range, Blackburn, BB1 6EE

Applicant: Bank Of Ireland

Ward: Bastwell

Councillor Parwaiz Akhtar	
Councillor Iftakhar Hussain	
Councillor Shaukat Hussain	



1.0 Details of application

- 1.1 The application is before the Committee following the decision to defer the application taken at the meeting on 17th December. This would allow the applicant time to consider a request from the Committee for the proposed ATM to be sited on the north-east side elevation of the supermarket as opposed to the front elevation. The response to this request is given at 5.1 below.
- 1.2 The application was originally referred to the Committee under the previous Scheme of Delegation following the receipt of one letter of objection. The reasons for the objection are summarised at 4.1 below.
- 1.3 The application site is a supermarket with post office facilities located on Whalley Range to the north-east of the junction with Ribble Street. The site is therefore located within the Whalley Range/Victoria Street Major Neighbourhood Centre, and designated a secondary retail frontage in the Interim Planning Policy supplementary planning document (Figure 5 and paragraph 10.7).
- 1.4 The proposal is for the installation of an ATM machine in the south-west end of the shop frontage, directly opposite the residential dwelling at No. 114 Whalley Range.
- 1.5 This application is accompanied by a second separate application – 10/15/1235 – for Advertising Consent for the signage associated with the ATM.

2.0 Development Plan

2.1 National Planning Policy Framework:

Section 1: “Building a Strong, Competitive Economy”

2.2 Borough Local Plan Part 2:

Policy 27: “District Centres – a Framework for their Development”

Policy 10: “Accessibility and Transport”

Policy 8: “Development and People”

3.0 Planning history

- 3.1 10/14/0806 – Existing single storey extension Certificate of Lawful Development. Approved under delegated powers 19th August 2014.
- 3.2 10/14/0398 – Change of Use of first floor to form a new retail outlet (Class A1), and enlargement of the shop front display windows. Approved under delegated powers 19th January 2015.

3.3 10/94/0317 – Proposed retail development. Approved under delegated powers 27th April 1994.

4.0 Consultations

4.1 Fifteen neighbouring properties. One letter of objection has been received and can be summarised as follows:
Noise impact on overlooking bedroom window.

4.2 Highways. ATM close to pedestrian crossing, which is accompanied by markings, and parking is prohibited. The ATM would attract illegal parking. A better site would be on the elevation facing into the side car park.

4.3 Public Protection. ATM is directly opposite residential premises. The proposed hours would be 24/7, so there is potential for loss of amenity due to noise disturbance arising from car music, slamming car doors and raised voices from people using the facility during the night. On balance, however, it is considered that the increase in noise will not be significant.

5.0 Issues/Comments

5.1 Applicant's response to the Committee's request: The site being proposed by the Planning and Highways is not considered to be financially viable. The proposed location would not be DDA compliant. Moreover, the north-east side of the supermarket is an extension with a corrugated roof and this is not considered to be an adequately safe location for the ATM.

5.2 Note on the Report of the Director: The substance of this Report is as presented to the December meeting of the Planning and Highways Committee, with some slight amendments to take into account the adoption of Local Plan Part 2.

5.3 Principle: The National Planning Policy Framework (NPPF) requires applications to be considered in the context of the presumption in favour of sustainable development (paragraph 14).

5.4 The exceptions stipulated by the NPPF concern the impact caused by the proposed development being significantly and demonstrably detrimental, to the extent that the harm outweighs the benefits.

5.5 The issues to be assessed in connection with this proposed development are concerned with design, neighbour amenity, and effect upon highway safety.

- 5.6 Design: The ATM is positioned flush with the shop frontage. The existing window feature is to be replaced by the ATM with the design being standard to most ATMs. It is considered that the development integrates acceptably into the façade of the shop.
- 5.7 Design and Public Safety: The site in which the ATM is to be located is along the main frontage of the existing supermarket/post office on Whalley Range, providing a good level of natural surveillance from neighbouring business and residential premises. Whalley Range is also the principle thoroughfare through the Neighbourhood Centre. The area is therefore well-used in both the daytime and the evening.
- 5.8 As a consequence of being a major thoroughfare, the ATM is situated in a well-lit area that provides additional support to surveillance.
- 5.9 Policy 8v requires design to incorporate positive measures aimed at reducing crime and improving community safety. It is considered that the environment within which the ATM is to be sited contains features that provide a sufficient measure of public safety to make the proposal acceptable under this policy. This includes good natural surveillance through dwelling houses being located opposite and through Whalley Range being a busy highway in terms of both vehicles and pedestrians. Street lighting also adds to the safety of the site.
- 5.10 Highways Safety: The ATM is located conveniently for pedestrians, and can easily be accessed by bicycle and taxi, thereby meeting the provision for safe and easy access. Whilst there are concerns for cars parking illegally alongside the ATM, there are two car parks conveniently situated close by providing safe parking provision for vehicular parking for users of the ATM. It is therefore considered that the proposal meets the criteria set out in Policy 10 of the Local Plan Part 2.
- 5.9 Noise considerations: Public Protection has raised the possibility of the ATM being a focus for disturbances at night – car doors slamming, car music being emitted from parked vehicles, raised voices by people using the facility. Their own assessment is that, on balance, an increase in noise levels is unlikely to be significant.
- 5.10 There are two dwellings immediately opposite the location for the ATM, the objection having come from the owners of one of the properties. These dwellings are built at a slightly lower level than the application site, and the first floor front bedrooms are therefore a little closer to street level than would normally be the case. However, the separation distance is a minimum of 14 metres, with the road in between.

5.11 Whalley Range is both a Major Neighbourhood Centre and the road that forms a main thoroughfare through the Centre, linking the town centre and Barbara Castleway with the side streets of Bastwell. It is considered that the noise associated with the use of the cash machine is unlikely to add significantly to the general noise and busy-ness of what is a highly commercial area. Moreover, the use of the machines late into the night is unlikely to be a regular occurrence. The impact on bedrooms across the road, therefore, is considered unlikely to be detrimental to occupiers of the dwelling.

6.0 Recommendation

6.1 Approve

7.0 Summary of representations

RECEIVED

27 OCT 2015

Mr Sadiq Sharif
112 Whalley Range
Blackburn
Lancashire
BB1 6NL

Monday, 26th October 2015

Planning Service
Growth & Prosperity Department
Blackburn with Darwen Borough Council
Town Hall
Blackburn
Lancashire
BB1 7DY

Dear Sirs

Re: **PLANNING APPLICATION NEAR OR ADJOINING MY PROPERTY**
REFERENCE: 10/15/0923

I write further to your letter dated October 9, 2015.

I understand that an Application has been made by the Bank of Ireland to install an ATM at 95 Whalley Range, Blackburn. This property is directly across from my residential property.

In my property, I live with my wife, two daughters and one son. I have serious concerns with regards to the proposed Application being granted as I believe that it will have serious consequences for my youngest daughter.

[REDACTED]

The consequences stem from the inevitable increased activity outside my property, if the planning was to go ahead, especially during the evening / night time hours. [REDACTED]

[REDACTED] As
[REDACTED] am
seriously concerned that the installation of the ATM will mean that there is increased activity outside our house with people speaking in loud voices and the slamming of car doors. My daughter's bedroom is at the front of the house so she is directly affected.

I am terrified that the installation of the ATM will mean that she will be unable to get a good night's sleep. [REDACTED]

I believe that the planning department needs to fully investigate the effect that the proposed planning would have on people residing in the area. I would imagine that my daughter's case would

be given special consideration,

Yours faithfully

Mr Sadiq Sharif

