

Our Ref: E024063

WRITTEN APPEAL STATEMENT

PLANNING APPLICATION REFERENCE: 68723

APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE RETENTION OF AN ATM AT TABIS OFF LICENSE, 237 WASH LANE, BURY, BL9 7DH

Background

The site is located on the corner of Wash Lane and Willow Street. The front elevation has an entrance door to the centre and our ATM has been installed through an existing glazing panel on the southeast elevation. There is a small forecourt to the front of the store. The site is not within a Conservation Area and is not a listed building.

This was initially submitted as a combined planning and advert application however we are not submitting an appeal for the associated advert proposal (68724) since this is still pending a decision. We therefore ask that this appeal is considered on the impact of retaining the ATM (without the signage).

This Written Appeal Statement is submitted on behalf of Cardtronics UK Ltd ("the appellant"). We wish to appeal the decisions on the grounds that planning permission ought to be granted. We request the review to be conducted by the written procedure.

Grounds of appeal

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

National Planning Policy Framework (NPPF)

Bury Unitary Development Plan

- EN1/5 - Crime Prevention
- EN1/1 - Visual Amenity
- EN1/8 - Shop Fronts

SPD3 Development Control Policy Guidance Note 3: Planning Out Crime in New Development

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 which benefits the public and local businesses. 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.

Our Ref: E024063

The NPPF seeks to ensure a high level of design and that development whilst we have introduced a modern feature, we have done so in a way that does not adversely harm this building or wider street scene. ATM's are a recognisable feature throughout the UK and only the size of machine and signage tend to differ between companies. 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 original glazing was replaced with laminate panels with an aperture formed for the ATM face the installation therefore complies with UDP Policies EN1/8 - Shop Fronts and EN1/2 - Townscape and Built Design.

The ATM subject to this appeal is deemed to be in an unacceptable location fronting a narrow footpath. The footway at the appeal site varies in width but is around 4 metres in width in front of the ATM. It is considered that people using the ATM and queuing for the ATM would be detrimental to pedestrian safety.

Whilst we appreciate the footpath in front of the ATM is narrower in comparison to the front of the store, we do not believe the installation of this ATM compromises the pedestrian route or rights of way along this part of the road. There is sufficient room for an ATM user and a pedestrian passing by at the same time. This is a single ATM which has been installed since 27/08/2021 and we have no reports of users/members of the public complaining about reduced space in front of this ATM.

Before any ATM is installed, we conduct a Crime Risk Assessment on the site. Our aim is to protect our assets and we would not install an ATM without necessary upgrades where a site poses a risk. During the day, this site will benefit from plenty of natural surveillance. There is external CCTV covering the shopfront, the make is Hikvision and it stores for 30 days. See photos *E024063-V2 CCTV WILLOW ROAD & E024063-V2 CCTV COVERAGE*. There is a lamppost directly above the ATM location which provides adequate lighting during the night. We did not find it necessary to install additional lighting. Site have an Arc monitored alarm by Verisure and the ATM has a JAR alarm installed. The JAR alarm is installed to the ATM, which when activated can be used to eavesdrop on the area around the ATM and confirm an attack, they can also remotely control the ATM, cut power and track an ATM if it's been moved.

The ATM has been installed since 27/08/2021 and we have no record of attacks/crimes against this ATM. There is no evidence that I am aware of, to suggest that this machine is a catalyst for increased criminal activity in the area. Furthermore, we are happy to consider adding additional safety protection measures, such as a privacy zone, pin shields and security mirrors.

The CVIT vehicle will undertake servicing of the ATM however details in relation to replenishment is limited due to security. The ATM will be serviced from the back, inside the shop. The Cash in Transit Crew/vehicle will approach the site taking care not to cause any hindrance to the free flow of traffic. The CVIT crew will park as close as possible to the site ensuring they have a clean line of sight to the ATM, if they feel it is not safe, they will not stop.

Our Ref: E024063

The ATM has been installed with a standard anchoring technique. The ATM security enclosure is firstly positioned and securely fixed to the floor. The plinth is then bolted to the floor using 4 x M16 Thunderbolts x 150mm and 4 x M16 Square Washers. The ATM is then lifted into place and bolted to the plinth using 4 x ATM M16 x 75mm Hexi Set Bolts and 4 x M19 Square Washers.

The design of the ATM is very minimal and moderate in scale, 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 the elderly and those with disabilities as it accords with the DDE regulations. We are preserving the existing shopfront as we aren't altering the proportions and any works done to the exterior of the building would be easily reversed and returned to its previous state.

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.

It has been raised that there are a number of other ATM's in the area and for some of these we are the provider however no ATM is a permanent fixture. ATM's can be removed if a contract has ended, if the ATM is not financially viable, if the owner is selling etc. We often install another ATM if there is high demand in the area or if we are aware an ATM is due to be removed.

Whilst we also can't comment on the transaction rates of ATMs that aren't ours in the area, our internal transaction figures for this ATM highlight high demand and it is a fundamental service required in the area.

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.

Link is the UK's largest cash network, who aim to protect access to cash. The 2021-2022 Link Annual Report states that 'Withdrawals at ATMs by the end of 2022 will be almost half what they were just before the pandemic. This ongoing decline puts great pressure on the commercial providers of infrastructure such as ATMs and will inevitably lead to lower numbers over time'.

Our Ref: E024063

If an ATM is not commercially viable, it is removed – we will only fight to keep ATM's that are identified as a public need based on transactions. This ATM would assist shoppers and other people visiting the local centre and would enhance the viability of the existing business.

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

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 planning application is overturned and decisions are allowed.