

COMMITTEE REPORT

Committee: East Area
Date: 14 June 2007

Ward: Huntington/New Earswick
Parish: Huntington Parish Council

Reference: 07/00736/FUL
Application at: 376 Huntington Road York YO31 9HP
For: Installation of ATM (cash machine)
By: Tesco Stores Ltd
Application Type: Full Application
Target Date: 24 May 2007

1.0 PROPOSAL

1.1 Members may be aware that planning permission was granted, on appeal, for Tesco to construct an express store at the above site. The application for the express store originally included the installation of an ATM machine but this element of the application was withdrawn at the appeal Inquiry into the construction of the store and was therefore never considered by the Inspector.

1.2 The Tesco Express store is now under construction.

1.3 This application is for the installation of an ATM at the site. The applicant's agent has confirmed that the ATM is to be in use 24 hours a day.

1.4 The ATM is to be installed in the elevation of the building facing Huntington Road.

1.5 The application site is located on the Huntington Road with a frontage to that road of approximately 30 metres. The site is surrounded on three sides by existing residential development.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

City Boundary York City Boundary 0001

DC Area Teams East Area (2) 0005

Floodzone 2 Flood Zone 2 CONF

Floodzone 3 Flood Zone 3

2.2 Policies:

3.0 CONSULTATIONS

Internal

Highways network management

I have some concerns over the management/control of on- street parking that is likely to be created by the proposed ATM. Whilst I accept that traffic orders are to be provided by the recent consents for the store I consider that these measures need to be reinforced with further works.

As such I would like confirmation in writing and an amended plan from the applicant detailing the provision of some bollards to the immediate site frontage (area of frontage between the two site access points)

Due to the impact these posts will have on the width of the footway I would also wish to see a widening of the footway to compensate (in the region of 500mm)

The posts should be placed at kerb edge of the footway against the carriageway.

External

Parish Council

The committee strongly objects to this application. The committee has concerns as to the volume of traffic which such a store will generate plus traffic management of the area during imposed delivery times to said store. Consequently the installation of an ATM which will increase said volume of traffic and continues such outside store opening times is unacceptable to the committee

32 letters of objection have been received covering the following points:-

- concerned that Brandsby Avenue will become a handy turning street for cars visiting the shop making the making the street less safe for children to play
- residents are rarely woken up by traffic from Huntington Road after midnight concerned that if the ATM is approved there would be a steady flow of people at all hours causing noise and disturbance this is exactly what happened at the Lloyds bank on White Cross Road Haxby
- the presence of the machine will exacerbate any possible intentions of violent conduct
- reduce house prices in the area
- residents have not been listened to
- If any cash machine is to be placed it should be inside
- The cash machine would add to traffic problems in the area
- There are sufficient ATM's within the local area
- The consideration of the cash machine at the appeal hearing was taken away from the application
- References are drawn from the appeal decision for the approval of the Tesco store which refer to the removal of the ATM from the Inspectors consideration

4.0 APPRAISAL

4.1 The key issues raised by this application are:-

- The impact of the development on the highway
- The impact of the development on residential amenity

4.2 When the application for the Tesco express store and the ATM were originally considered by planning committee highways recommended a highway reason for refusal related specifically to the ATM machine. The reason stated ' in the opinion of the local highway authority the ATM will give rise to vehicles stopping for short periods of time, potentially in an indiscriminate manner, which in this location will be both detrimental to the free flow of traffic and to the safety of highway users, particularly vulnerable road users.' In light of the approval on appeal of the express store itself and the traffic orders that are likely to be implemented outside the site Highways Network Management are no longer objecting to the ATM. They do however wish bollards to be placed within the footpath and the footpath to be widened in compensation for the loss of width caused by installing the bollards. If members were to approve this application an amended plan would need to be sought first to show the widening of the footway. The footway widening into the grass verge may result in the loss of the tree in the verge.

4.3 PPS1: Planning for Sustainable Development aims to protect the quality of the environment. 'The Planning System: General Principles', the companion document to PPS1, advises of the importance of amenity as an issue. Policy GP1 of the City of York local plan deals with issues of design in particular it says development proposals will be expected to ensure that residents living nearby are not unduly affected by noise, disturbance, overlooking, overshadowing or dominated by overbearing structures.

4.4 It has always been considered that there would be traffic displacement from this site, partly because of the tightness and amount of car parking provided and partly because of the very tight arrangements for servicing of the site. The service arrangements require one access and four or five spaces to be closed off each time there is a delivery from a large vehicle.

The appeal decision restricted the times for deliveries to 7:00- 9:00 hrs and 19:00 - 21:00 hrs Monday to Saturday and 8:00 - 10:00 hrs on Sundays and Bank Holidays. The opening hours of the store were restricted to 7:00 to 22:00 hrs Monday to Saturday and 7:00 - 21:00hrs Sundays and bank holidays. During the times of opening and deliveries, with waiting restrictions in place outside the site, it is anticipated that displaced traffic will park on adjacent roads and outside residential properties further along Huntington Road and in officers view this will be exacerbated by the installation of an ATM, however, given the planning permission that has been granted for the store the extra traffic and pedestrian movements associated with the ATM during the opening hours of the shop are likely to be indistinguishable from the movements to the shop and therefore are not considered sufficient reasons to refuse planning permission for the ATM on residential amenity grounds.

4.5 Officers are, however, concerned about the movement of traffic and pedestrians to and from the site to the ATM machine after the shop is closed and the impact of such movements on the properties either side of the site and immediately opposite. In officers view disturbance will be caused by the noise of cars arriving, doors slamming, car stereos, voices from users of the ATM, car engines starting and revving and then setting off at a time when there is little other traffic or pedestrian movements and ambient noise levels are naturally low (low ambience levels at night was confirmed in the noise consultants report considered at the appeal) .

Furthermore the site will need a level of lighting to make the ATM secure these lights together with the attraction of the ATM will make the forecourt an easy place for people to gather. The availability of the ATM after the opening hours of the shop is considered to be detrimental to the amenity of adjacent residential properties and in conflict with policy GP1 of the City of York Local Plan

5.0 CONCLUSION

Highways network management are not objecting to this proposal subject to alterations to the footway in front of the shop and the installation of bollards. As the ATM is to operate 24 hours a day officers are concerned that the use of the ATM machine outside the opening hours of the shop will lead to a loss of amenity to residents adjacent to the site. Disturbance will be caused by the noise of cars arriving, doors slamming, car stereos, voices from users of the ATM, car engines starting and revving and then setting off at a time when there is little other traffic or pedestrian movements and ambient noise levels are naturally low.

6.0 RECOMMENDATION: Refuse

- 1 The development will result in an unacceptable loss of amenity to residential properties adjacent to the site caused by the use of the ATM machine after the shop has closed. Disturbance will be caused by the noise of cars arriving, doors slamming, car stereos, voices from users of the ATM, car engines starting and revving and then setting off at a time when there is little other traffic or pedestrian movements and ambient noise levels are naturally low. This is in conflict with policy GP1 of City of York Draft Local Plan Incorporating the Fourth Set of Changes - Development Control Local Plan (Approved April 2005), and related advice in 'Planning System: General Principles', published alongside PPS1: Delivering Sustainable Development (2005).

7.0 INFORMATIVES:

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