

**Application Number: 16/00337/FUL  
Minor**

**Installation of ATM (part retrospective)****AT 1A Syward Row, Wolverton, Milton Keynes****FOR NoteMachine UK Ltd****Target: 4th May 2016****Extension of time: 25.07.2016****Ward: Wolverton****Parish: Wolverton & Greenleys Town  
Council****Report Author/Case Officer: Matthew Pearce****Contact Details: 01908 254819 matthew.pearce@Milton-keynes.gov.uk****Team Leader: Debbie Kirk DM Core Business Unit Manager****Contact Details: 01908 252335 debbie.kirk@milton-keynes.gov.uk****1.0 INTRODUCTION**

*(A brief explanation of what the application is about)*

**1.1 Introduction**

The main section of the report set out below draws together the core issues in relation to the application including policy and other key material considerations. This is supplemented by an appendix which brings together planning history, additional matters and summaries of consultees' responses and public representations. Full details of the application including plans, supplementary documents, consultee responses and public representations are available on the Council's Public Access System [www.milton-keynes.gov.uk/publicaccess](http://www.milton-keynes.gov.uk/publicaccess) . All matters have been taken into account in writing this report and recommendation.

1.2 The application is before Members of the Panel due to the number of objections received from third parties.

**1.3 Update**

The Chair told the panel at the meeting held on 21<sup>st</sup> July 2016 that it had come to light that a necessary notice had not been served on the owner of the premises due to a legal technicality. It was resolved by the Development Control Panel to defer the determination of the application to allow a technical procedure to be completed prior to the determination of the application. The case officer is now satisfied that the correct notices have been served on the landowner. To date no landowner objections have been received.

## 1.4 The Site

The application site is a retail unit located on the corner of Syward Row and Addington Avenue in Wolverton. The unit was previously 2 units which have been combined. The application site is part of a 4 storey building which has a retail unit on the ground floor with 3 storeys of residential properties above. The pedestrian entrance to these residential properties is located on Addington Avenue. To the rear of the site is a rear parking yard for the residential properties. The unit has four openings in the front elevation, two of the openings are floor to ceiling windows, one contains an ATM and one is the entrance to the shop.

## 1.5 The Proposal

The application seeks planning permission for the installation of an ATM on the front elevation of the unit. The ATM is located on the most northerly opening close to Addington Avenue. The application was originally submitted with the ATM surround and fascia being internally illuminated, this application has since been amended to not include any illumination. The ATM measures 0.8 metres wide and 1.2 metres tall and is located 0.6 metres from the ground level. A composite panel is located behind the ATM replacing part of the floor to ceiling window. This application is retrospective as the ATM has already been installed and is in situ on the site.

## 2.0 RELEVANT POLICIES

*(The most important policy considerations relating to this application)*

### 2.1 National Policy

National Planning Policy Framework 2012

Section 7- Requiring good design

### 2.2 Local Policy

Milton Keynes Local Plan 2001-2011

D1- Impact of Development Proposals on Locality

D2 – Design of Buildings

### 2.2 Milton Keynes Core Strategy 2013

Policy CS13 - Ensuring High Quality, well Designed Places

Policy CS18 – Healthier and Safer Communities

### **3.0 MAIN ISSUES**

*(The issues which have the greatest bearing on the decision)*

3.1 Impact on Locality

3.2 Crime prevention and safety

### **4.0 RECOMMENDATION**

*(The decision that officers recommend to the Committee)*

4.1 It is recommended that planning permission be granted subject to the conditions set out in section 6.0 of this report.

### **5.0 CONSIDERATIONS**

*(An explanation of the main issues that have led to the officer Recommendation)*

#### **5.1 Impact on Locality**

Saved policy D1 (iv) of the Milton Keynes Local Plan 2001-2011 relates to the impact of development on the amenity of neighbouring properties in relation to noise. The Policy's aim is to ensure that developments do not adversely affect the amenities of neighbouring properties.

5.2 The ATM is located in a residential area within a retail unit which serves as the local shop for this part of Wolverton. There are residential properties above the retail unit and some residential properties facing the unit. The ATM does not result in unacceptable levels of light pollution as only the screen will be illuminated; as such the impact is minimal. The ATM itself only emits small levels of noise created by the keypad when pressed during a transaction, which is necessary for people with limited sight. This noise emitted by the keypad is intermittent and consists of 4 short beeps as each key is pressed. The emission of noise only lasts for a few seconds and is deemed to be an acceptable level of noise. Background noise of cars on the V5 Great Monks Street and vehicle movements within the estate in the daytime would make the noise emitted from the ATM less noticeable. During the night the use of the ATM is likely to be significantly lower than in the daytime, although the noise may be more noticeable due to lower background noise levels. The Environmental Health Officer has raised no objects to the noise produced as a result of pressing the ATM keypad, and it is regarded that the ATM would not harmfully affect neighbouring properties in terms of noise disturbance. The impact noise emitted from the ATM is deemed to be insufficient to create significant harm to the amenities of neighbouring properties.

5.3 The application is in accordance with Saved policy D1 (iv) of the Milton Keynes Local Plan 2001-2001.

#### **5.4 Crime prevention and safety**

Policy CS13 of the Milton Keynes Core Strategy 2013 states that to ensure high design quality, all new developments should: comply with best practice urban design principles in Safer Places. CS18 of the Milton Keynes Core Strategy 2013 states that the Council will seek to create safe and sustainable environments by: designing out opportunities for crime and anti-social behaviour in new development following best practice in new development, following best practice guidance in Safer Places and Secured by Design.

- 5.5 The installers of the ATM have taken all reasonable measures to ensure that the potential for crime is limited. This site is located in a quiet residential area with good natural surveillance due to the number of properties which face the site, there is ample street lighting in the surrounding area and the ATM is alarmed and target hardened. The ATM was also installed with a security plinth and anchored to the concrete slab floor. These measures are standard practice for the company that install the ATM's and a condition ensuring the installation of a pin guard and mirror are installed on the ATM, should be imposed on any planning permission granted to further ensure safety and prevent crime. The measures taken in the installation of the ATM, in conjunction with the condition for a pin shield and mirror, ensures that a safe and sustainable environment has been created. The ATM accords with Policy CS13 of the Milton Keynes Core Strategy 2013.

#### **5.6 Other matters**

Comments have been received requesting that Article 8 Para1-2 of the Human Rights Act be taken into account when determining this application. Article 8 Para1-2 of the Human Rights Act relates to the right to respect for private and family life. Whilst not Planning Legislation, human rights are incorporated within planning legislation and are taken into account when determining an application. The ATM is not regarded to affect this right as it does not adversely affect the amenity of families or private individuals.

- 5.7 An objection was received from Wolverton and Greenleys Town Council in regards to how bright the illuminate fascia would be and whether it could pose as a distraction for those driving on the nearby V5 grid road. The agent responded to this objection by removing the illumination from the application. The Town Council then withdrew their objection on the grounds that there was no illumination to object to. The Parish Council subsequently withdrew their objection. Should members be minded to grant permission, a condition has been imposed to ensure the illumination of the ATM is removed within 2 months of the date of the permission.

#### **5.8 Conclusion**

The ATM does not have a significant harmful impact in terms of the amenity of neighbouring properties due to the intermittent use of the keypad, which emits a small level of noise when pressed. The ATM has been installed with

measures which ensure the safety of the users and helps protect the ATM from criminal acts. The proposed conditions set out in section 6 below relating to a pin shield and mirror will further ensure the safety of users. It is recommended that planning permission is granted subject to the conditions in section 6 of this report.

## **6.0 CONDITIONS**

*(The conditions that need to be imposed on any planning permission for this development to ensure that the development is satisfactory. To meet legal requirements all conditions must be Necessary, Relevant, Enforceable, Precise and Reasonable).*

1. Within 3 months of the date of this permission, the illumination of the ATM shall be removed and shall not be reinstated at any time.

Reason: To ensure highways safety is not adversely affected

2. Within 3 months of the date of this permission, a pin shield and safety mirror shall be installed on the ATM and maintained to a condition which ensures safety, the pin shield and mirror will remain in perpetuity on the ATM.

Reason: To ensure the safety of the users of the ATM in accordance with Policy CS13 of the Milton Keynes Core Strategy 2013

## **Appendix to 16/00337/FUL**

### **A1.0 RELEVANT PLANNING HISTORY**

*(A brief outline of previous planning decisions affecting the site – this may not include every planning application relating to this site, only those that have a bearing on this particular case)*

#### **A1.1 16/00554/FUL**

Installation of roller shutters (retrospective)  
Pending consideration

#### **16/00557/FUL**

Erection of rear plant enclosure with 3 floor mounted air conditioning units and 2.4 metre fence (retrospective)  
Pending consideration

### **A2.0 ADDITIONAL MATTERS**

*(Matters which were also considered in producing the Recommendation)*

#### **A2.1 None**

# Units 1a-1b Syward Row



Kash - Stratford Park Stores  
Units 1a-1b Syward Row  
Wolverton  
MK12 5QA

T014377

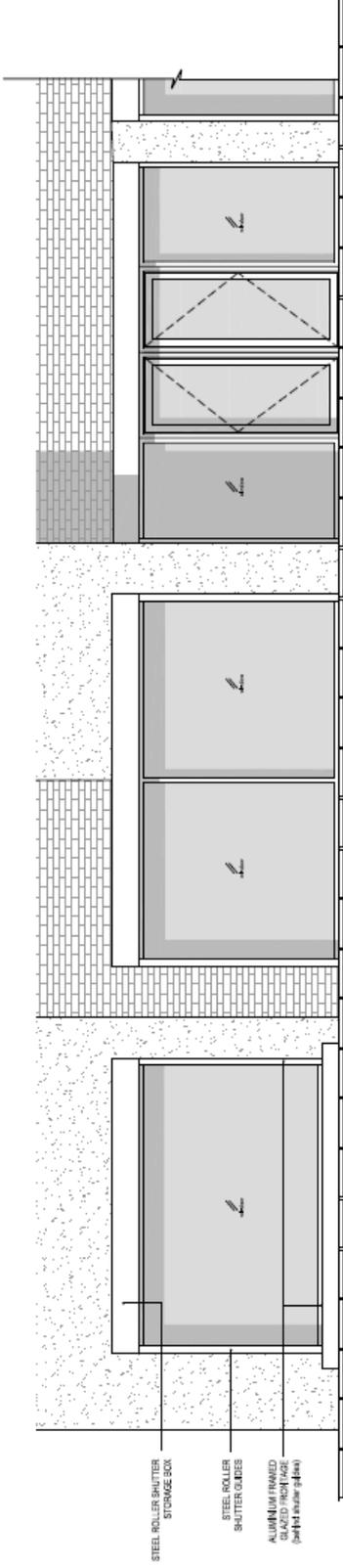
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09 March 2016, ID: BLJT-00509418  
[www.planningapplicationmaps.co.uk](http://www.planningapplicationmaps.co.uk)

1:1250 scale print at A4, Centre: 480648 E, 240619 N

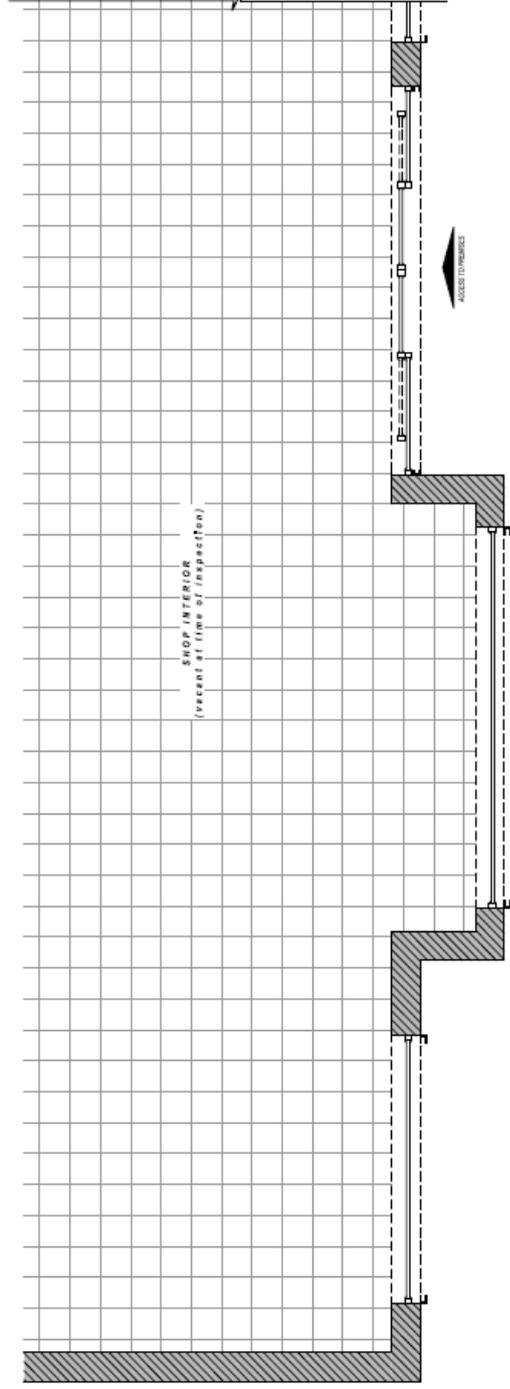
©Crown Copyright Ordnance Survey. Licence no.  
100051661



**NOTE MACHINE**



PRE - EXISTING FRONT ELEVATION  
Scale: 1/50



PRE - EXISTING PART PLAN  
Scale: 1/50

Date: 25/05/16  
Comment: Location of ATM moved to suit as best as possible.  
Rev: 1

GENERAL NOTES  
1. All dimensions in meters unless otherwise stated.

Site: KASH

Unit: 1-2 Addison Avenue,  
Wolverton,  
Milton Keynes,  
MK12 8GH

Drawing Title:  
Pre-Existing Elevation and Plan

Ref: MI-12-2015-05-1	Date: 15-12-2015	Rev: A
Scale: 1/50	Project: J03	Date Iss: 22-05-2016

**NOTE MACHINE**

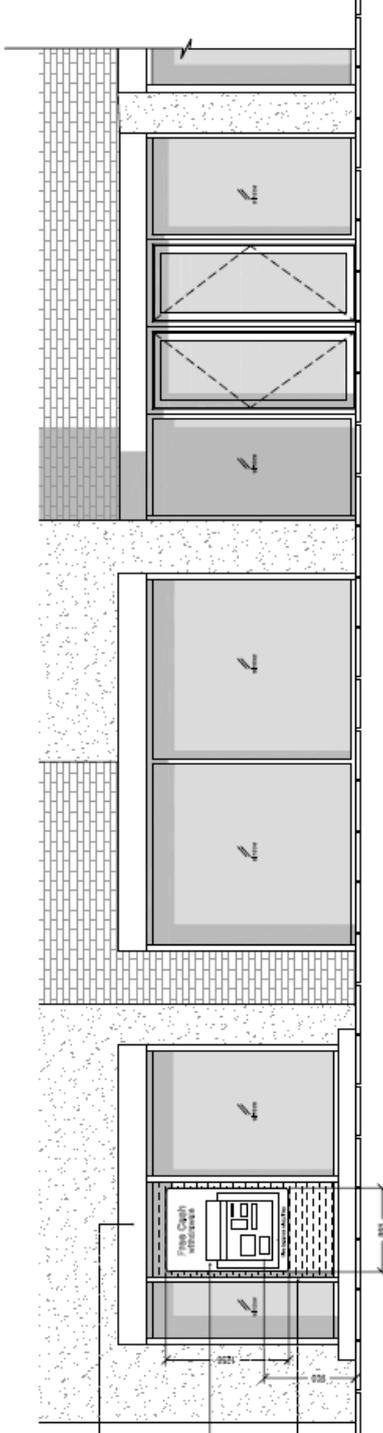
Date: 22/03/18  
 Comment: Location of ATM related to cut as hatched position.  
 Rev: 1

GENERAL NOTES:  
 1) All dimensions in millimetres unless otherwise stated.

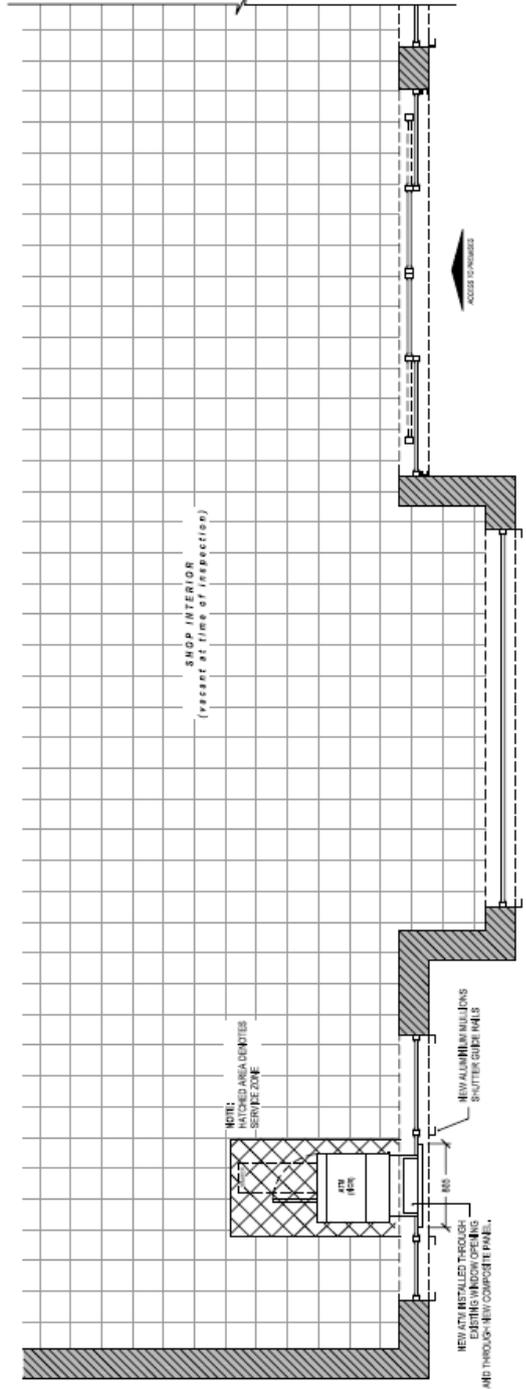
Site: KASH  
 Unit: 1-2 Addington Avenue,  
 Wolverton,  
 Milton Keynes,  
 MK12 8GH

Drawing Title:  
 As Installed Elevation and Plan

Rev:	Rev: A
Date:	15-12-2015
Date Rec:	22-03-2018
Scale:	1:50
Sheet:	A3



- STEEL ROLLER SHUTTER TO BE CUT TO ALLOW ANY ACCESS TO ATM
- NEW ATM INSTALLED THROUGH EXISTING WINDOW OPENING. GLASS AND PART REPLACED WITH NEW COMPOSITE PANEL. COLOUR: WHITE
- NEW ALUMINUM SHUTTER TO BE INSTALLED TO ALLOW SHUTTERS TO BE CUT (EITHER SIDE OF ATM)

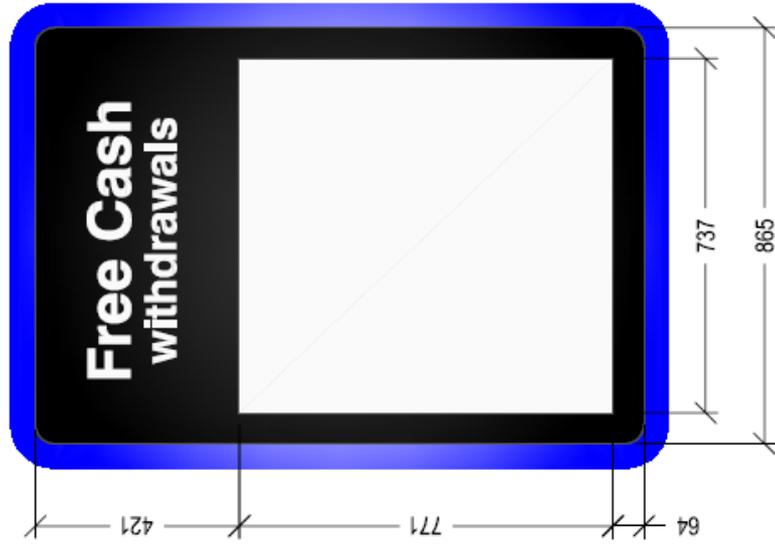


- NEW ATM INSTALLED THROUGH EXISTING WINDOW OPENING AND THROUGH NEW COMPOSITE PANEL.
- NEW ALUMINUM RAILLONS SHUTTER GUIDE RAILS
- NOTE: HATCHED AREA DENOTES SERVICE ZONE
- ATM (875)

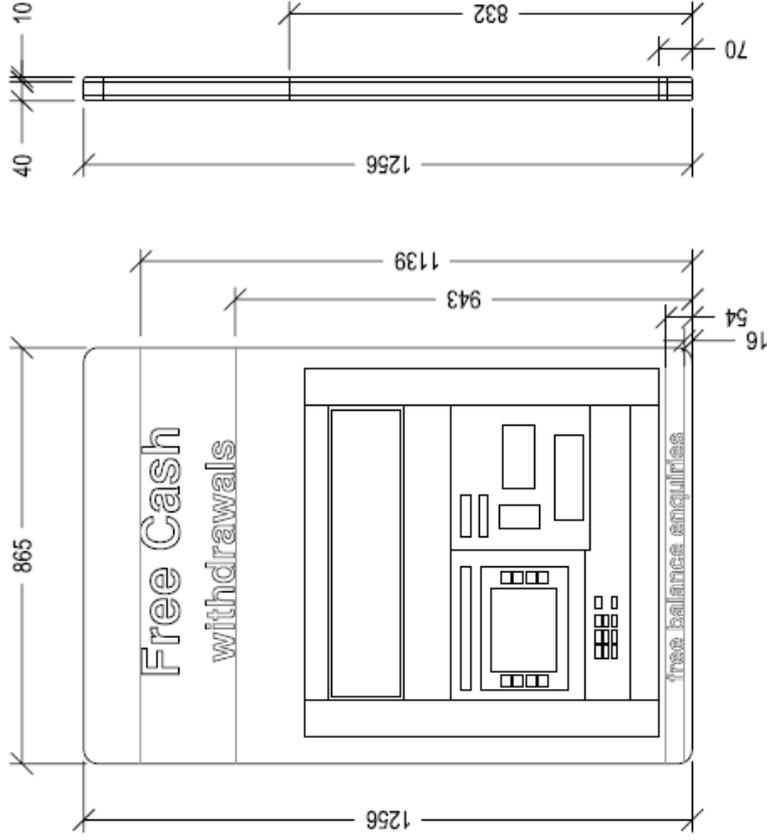


**NOTE MACHINE**

FONT: Eurostile  
 FONT COLOUR: cmyk = 0,0,0,0, (white)  
 SURROUND COLOUR - cmyk = 0,0,0,100 (black)  
 NOTE MACHINE RED - cmyk = 15,100,100,0  
 NOTEMACHINE BLUE - cmyk = 100,90,10,0



**TYPICAL FASCIA**  
 Scale 1:10



Date	Comments	Rev
GENERAL NOTES		
1. All dimensions in millimetres unless otherwise stated.		
Project: NOTE MACHINE		
GENERAL SITE INSTALLATION ARRANGEMENTS		
Drawing Title: TYPICAL FASCIA ELEVATIONS		
Ref:	Date:	Rev:
100-010-01	02/07/2014	
Scale:	Project:	Date Rev:
1:10	AS	

### **A3.0 CONSULTATIONS AND REPRESENTATIONS**

*(Who has been consulted on the application and the responses received. The following are a brief description of the comments made. The full comments can be read via the Council's web site)*

#### **Comments**

#### **Officer Response**

A3.1 Parish - Wolverton & Greenleys **(No objection)**

Noted

The committee have raised an objection with how bright the illuminated fascia would be and whether it could pose as a distraction for those driving on the nearby V5 grid road.

*The agent responded by amending the application so that the ATM was no longer illuminated. The Town Council responded by withdrawing their objection.*

“It was resolved to make no objection to above applications as the issue of the illumination had been addressed”

A3.2 Ward - Wolverton - Cllr Miles

Noted

**Cllr Miles is a member of the Development Control Committee**

A3.3 Ward - Wolverton - Cllr Middleton

Noted

**Cllr Middleton is a member of the Development Control Committee**

A3.4 Ward - Wolverton - Cllr Marland Noted

**(No comments received)**

A.35 **Local Residents** Noted

The occupiers of the following properties were notified of the application:

2,4,6,8,10,12,14 & 16 Addington Avenue Wolverton Milton Keynes

A site notice was also posted at the application site notifying members of the public of this application.

Three **third party representations** from No's. 4, 6 & 8 Addington Avenue, were received in objection to the application on the grounds of:

- Disturbance generated from people using the ATM and the noise of the keypad Noted and addressed in section 5.2
- Request to take into account Article 8 Para1-2 of the Human Rights Act Noted and addressed in section 5.6
- There does not appear to be any measures to make the ATM safe and secure from possible attacks which could affect neighbouring properties Noted and addressed in section 5.5