

SCHEDULE A4 TO THE AGENDA FOR THE
CENTRAL PLANNING COMMITTEE
3 FEBRUARY 2010

A4 **WA/2009/1703**
Tesco Stores Ltd
20/11/2009

Installation of ATM unit at: - Former Red Lion,
Portsmouth Road, Milford, GU8 5JH (as amended
by letter dated 15/01/2010 and plans received
18/01/2010)

Grid Reference: E: 495071 N: 142288

Parish: Witley
Ward: Milford
Case Officer: Mr A Griffiths

8 Week Expiry Date 15/01/2010

Neighbour Notification Expiry Date 08/01/2010

Neighbour Notification
Amended/Additional Expiry Date

RECOMMENDATION That permission be **GRANTED**

The application has been brought before the Area Committee in view of the high level of public interest.

Location or Layout Plan



Site Description

The Red Lion Public House is located to the southeast of the Portsmouth Road, and is a two storey tile hung and rendered structure with pitched tiled roofs. The site extends some 90m to the south, with an historic wall bisecting the site 22m to the rear of the Red Lion. Asides from an area of grass to the rear that was historically used as a beer garden, the remainder of the site is laid to 31 car park spaces. The area is primarily characterised by residential dwellings, although a collection of shops is located 100m to the southwest.

Proposal

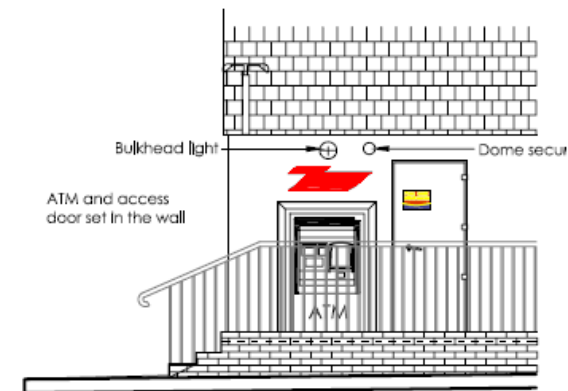
Planning permission is sought for: -

- The installation of an Automated Teller Machine (ATM) unit and access door in the southern most point of the northeast elevation
- The ATM unit would be accessed via a ramp (subject of WA/2009/1704), and would measure 1.4m in height x 1.1m in width and the mid point of the screen would be 1098mm above street level

Side northeast elevation showing proposed ATM



Enlarged view of proposed ATM



Relevant Planning History

WA/2009/1704	Installation of new shop front together with alterations	Pending decision
WA/2009/1705	Listed Building Consent for repairs to existing gate to rear wall	Pending decision
WA/2009/1707	Installation of mechanical plant comprising one condensing unit, three air conditioning units and roof mounted satellite dish	Pending decision

Planning Policy Constraints

Wealden Heaths 2km SAC Buffer Zone
Wealden Heaths 5km SPA Buffer Zone
Conservation Area – Milford Witley
Green Belt
Rural settlement area - Milford

Development Plan Policies and Proposals

Policies D1, D4, D9, HE3 and HE8 of the Waverley Borough Local Plan 2002
Policies CC4, CC6, NRM5 and BE6 of the South East Plan 2009

Consultations and Parish Council Comments

Parish Council	No objection, however proposed location raises concern over personal safety of users
Highways	No requirements

Representations

16 letters of objection, 13 of which are from different address points, have been received based on the following: -

- Would cause noise and disturbance to local residents as a result of deliveries to the site
- Development is unnecessary bearing in mind existing amenities in the area
- Store would result in traffic congestion and further pollution
- Adequacy of parking provision is in question
- The proposed Tesco would ruin the village of Milford and kill the small village shops
- Development is unnecessary and will serve to add to the traffic load by encouraging people to stop at all times of the day and night
- Proposed ATM is unwanted as there is already an ATM situated more in the centre of the village at the garage and is more than adequate for the usage of the population, where it is more in public view than the one proposed at the Red Lion

- Can anything be done to overcome the visual harshness of the glazed doors. Maybe the proposed new planting thereabouts of “a mature indigenous tree will serve this purpose
- The proposed ATM may well add to the crime level in the area
- The proposed long opening hours, and introduction of an ATM will greatly increase both footfall and traffic to the area
- The ATM unit would be sited facing the main road. Parked cars using it will cause accidents
- The external location of the ATM would lead to 24hr traffic on the site with late night noise nuisance from car doors and headlights being potentially disruptive to sleep patterns of neighbouring building occupants
- Noise and disturbance associated with the proposed plant machinery (WA/2009/1707)

Determining Issues

Visual Amenity

Listed Building & Conservation Area Considerations

Neighbouring Amenity

SPA Considerations

Representations

Conclusion

Planning Considerations

Visual Amenity

The location of the ATM at the southern most point of the northeast elevation means that it would face onto the car parking area some 15 metres from the frontage with the highway. When this is combined with the minimal height of the ATM above street level (1098mm (mid point of the screen) and the fact that the existing common boundary with Milford House is delineated by a wall (approximately 2m in height), fencing and vegetation mean, that the ATM would not appear unduly prominent within the street scene, and therefore would not materially impact upon the visual amenities of area.

Listed Building & Conservation Area Considerations

The Council’s Historic Buildings Officer has been consulted as part of the application both in regards to the site being within the Milford/Witley Conservation Area, but also neighboured on both sides by Grade II Listed Buildings.

The Historic Buildings Officer raises no objection to the proposal. The proposal is not considered to cause demonstrable harm to the architectural integrity or setting of the Grade II Listed Building. The proposal is considered to preserve the character of the Conservation Area.

Neighbouring Amenity

The proposed ATM is situated some 35m from the nearest property and is separated by a 2m (approximately) fence and vegetative screening. As such, there would not be a material effect caused upon neighbouring amenity.

SPA Considerations

The site is within the Wealden Heaths 5km SPA Buffer Zone and Wealden Heaths 2km SAC Buffer Zone. As the proposal is for the installation of an ATM machine it will not involve an increase in the number of people and therefore is unlikely to have a significant effect upon the integrity of the SAC or SPA.

Representations

The points raised in the letters of representation in regards to noise and disturbance associated with the use of the building as a retail facility; the impact on the vitality of the village of Milford; and, the increase in traffic and congestion are concerned with the principle of the use and therefore are not material to the determination of the current application.

The material points raised in the letters of representation are as follows: -

The proposed ATM is unwanted as there is already an ATM situated more in the centre of the village at the garage and is more than adequate for the usage of the population, where it is more in public view than the one proposed at the Red Lion

- The planning system does not exist to prevent competition but rather to support development in approved locations in accordance with the development plan. The proposed development would not cause harm to character or neighbouring amenity and would be located in an appropriate location.

The proposed ATM may well add to the crime level in the area

- A security camera and lighting are proposed in regards to the ATM. This is considered to be acceptable in terms of providing adequate safety.

The ATM unit would be sited facing the main road. Parked cars using it will cause accidents

- The ATM would be in the northeast elevation facing into the site, and therefore would not face Portsmouth Road. It would not in the officers' view cause highway obstruction.

The Parish Council comments have also been carefully noted. Officer's consider that the ramp is designed with safety of its users in mind. Therefore, the concerns in regards to safety of users cannot be shared.

Conclusion

Many of the concerns raised in the letters of representation are not material in the determination of the current application as they relate to the principle of the use, rather than the installation of an ATM unit. The Council's Historic Buildings Officer has raised no objection to the proposal from a Listed Building or Conservation Area perspective, and it is considered that there would be no material harm caused in regards to neighbouring or visual amenity.

RECOMMENDATION: That permission be ***GRANTED*** subject to the following condition:

1. Condition

The plan numbers to which the decision relates are 1735/02K, 1735/04M, 1735/05, 1735/07 and a location plan at 1:1250. The development shall be carried out in accordance with the approved plans. No material variation from these plans shall take place unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the development hereby permitted shall be fully implemented in complete accordance with the approved plans and to accord with Policies D1 and D4 of the Waverley Borough Local Plan 2002.

SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION

The development hereby granted has been assessed against the Development Plan policies: Policies D1, D4, HE3 and HE8 of the Waverley Borough Local Plan 2002, Policies CC4, CC6, B6 and NRM5 of the South East Plan 2009 and material considerations including third party representations. It has been concluded that the development would comply with the development plan and would not result in material harm that would justify refusal in the public interest.