



Delegated Report

Planning Application

Application No:	20240022
Location:	Monikas International, 10 Queen Street, Gravesend, Kent, DA12 2EE
Description:	Retrospective application for the installation of a cash machine in the shop front.
Applicant:	Mr Omar Javed
Site Visit:	

Submitted Documents/Plans

- Application Form – dated 10 January 2024;
- Planning and Heritage Statement – January 2024;
- Ordnance Survey Site Location Plan (scale – 1:1250);
- Drawing no. 001 – Rev. A – Existing and Proposed Block Plans, with Location Plan;
- Drawing no. 002 – Rev. A – Pre-existing and Existing Front Elevations.

Relevant Planning History

No relevant planning history.

Development Plan

Gravesham Local Plan Core Strategy (2014)

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS05 – Gravesham Town Centre Opportunity Area
- CS08 – Retail, Leisure and the Hierarchy of Centres
- CS18 – Climate Change
- CS19 – Development & Design Principles
- CS20 – Heritage and the Historic Environment

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards
- T1 – Impact of Development on the Highway Network
- TC3 – Development Affecting Conservation Areas

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core

Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 8 – Promoting Healthy and Safe Communities
- Section 11 – Making Effective Use of Land
- Section 12 – Achieving well-designed and beautiful places
- Section 16 – Conserving and Enhancing the Historic Environment

Supplementary Planning Guidance

- High Street & Queen Street Conservation Area Character Appraisal (2009)
- Management Plan Gravesend Town Centre Conservation Areas (2009)

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) which states that, with respect to buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Consultations, Publicity and Representations

Internal Consultees

GBC Environmental Protection (Regulatory Services) – No objection to this application or comments to make.

GBC Highways – This is a town centre location, I have no highway objections.

GBC Conservation – The cash machine installed dominates the shop front and adds clutter to an already poor quality shopfront within the Queen Street Conservation Area and fails to preserve or enhance its character.

The Queen Street Conservation Area Appraisal identifies shop fronts as negative features, highlighting:

- poor design and modern materials of many shopfronts and shop signs;
- cluttered shop frontages and garish window displays,
- unsympathetic alterations to historic buildings and loss of original architectural features, e.g. windows, replacement of historic roof coverings with artificial materials.

as contributing factors that impact on the character of the Conservation Area.

Therefore, the illuminated ATM on a cluttered, poorly designed shop front causes further harm to the Conservation Area. Therefore it is recommended that the application is refused.

Local Ward Councillors – Conditional call-in to planning committee (concerns with impact on the Conservation Area).

External Consultees

Kent Police (Designing Out Crime) – We have reviewed this application in regard to Crime Prevention Through Environmental Design (CPTED) and in accordance with the National Planning Policy Framework (NPPF).

Applicants/agents should consult us as Designing out Crime Officers (DOCO's) to address CPTED and incorporate Secured By Design (SBD) as appropriate. We use details of the site, relevant crime levels/type

and intelligence information to help design out the opportunity for Crime, Fear of Crime, Anti-Social Behaviour (ASB), Nuisance and Conflict.

There is a carbon cost for crime and new developments give an opportunity to address it. Using CPTED along with attaining an SBD award using SBD guidance, policies and academic research would be evidence of the applicants' efforts to design out the opportunity for crime.

We strongly recommend that if this ATM is given retrospective planning approval, the following security measures are included as part of any planning conditions:

1. The ATM be installed in accordance with the ATM Industry Association (ATMIA - Europe) & ATM Security Working Group (ATMSWG), Best Practice For Physical Security Guide, guidance, in order to complement and enhance community safety.
2. We recommend a fully monitored 24 hour attack alarm system be installed within the ATM and linked to a remote alarm monitoring company as should the shop's alarm system.
3. Other security devices e.g. forensic marking solutions, dye or note degradation packs should be installed, an ATM tracker system, a marked unique identifier/security code and signage stating that these measures have been incorporated also help deter crime.
4. Crime Prevention signage to be displayed so in an emergency if users see a skimming device or anything else suspicious around the ATM, they know who they should contact.
5. Dedicated external CCTV camera to be installed to cover the front of the ATM with suitable lighting to aid image capture. IOC CCTV signage would also be required.
6. We recommend that an approved anchorage system is installed.
7. The installation of a defensible/personal space area would usually form part of any planning conditions to reduce the opportunity for criminals to "shoulder surf" for pin numbers and other ATM crime related incidents. The proximity of cars to the ATM and lack of identifiable footpath could lead to an increased opportunity for crime from inside vehicles and those passing on foot or bike. Therefore, a defensible space is recommended aided by vehicle mitigation, such as bollards. This will also aim to deter attacks to the ATM from vehicles/ machinery.
8. Cash limits should be kept to a minimum and appropriate filling and security measures must be in place for the protection and safety of those filling the ATM, be it a Cash In Transit (CIT) company or filling by the store staff.
9. The building, its locks and brickwork surrounding the ATM should be to the appropriate British Standard. There appear to be residential units above, these should not be made vulnerable should the ATM be attacked.

Please note, site security is required for the construction phase. There is a duty for the principle contractor "to take reasonable steps to prevent access by unauthorised persons to the construction site" under the Construction (Design and Management) Regulations 2007. The site security should incorporate plant, machinery, supplies, tools and other vehicles and be site specific to geography and site requirements.

We welcome a discussion with the applicant/agent about site specific designing out crime. If the points above are not addressed, they can affect the development and local policing.

This information is provided by Kent Police DOCO's and refers to situational crime prevention. This advice focuses on CPTED and Community Safety with regard to this specific planning application.

Neighbouring properties

An advert was published in the Gravesend Messenger and a notice displayed on site 25 January 2024.

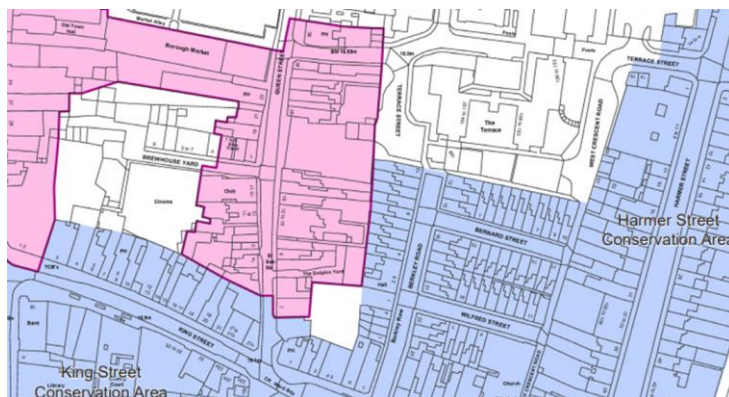
In addition, fifteen surrounding properties were consulted and no representations were received. The consultation period expired 16 February 2024. No representations have been received.

Officer's Analysis

Site Description

Monikas International (10 Queen St) is a Class E shop, located on the eastern side of the highway.

The application site is located within the High Street & Queen Street conservation area (designated 17 May 1990). The boundary of the conservation area is shown below:



The High Street and Queen Street conservation area appraisal says:

The narrowness of Queen Street is accentuated by the height of the three to four storey buildings in some places, although there is a more open appearance around the single storey shops at nos. 1 and 1a and Borough Market Hall. At ground floor level there is a crowding effect of irregular shopfronts sitting directly on a narrow pavement lined by cast iron bollards and parked cars.

Development Proposal

This is a retrospective planning application seeking to retain a cashpoint (ATM) in the shopfront. The ATM was installed at some point before November 2022 and is illuminated through backlighting.



Design and Impact on the Conservation Area

Development Plan policy places considerable emphasis on the importance of achieving high quality, beautiful and sustainable buildings and places. Paragraph 130 of the NPPF (2021) seeks to ensure that development will add to the quality of an area, be visually attractive, and sympathetic to local character and history. Policy CS19 (LPCS) reflects these aims and requires that new development is well designed and respects the character and appearance of the surrounding area.

The NPPF (2023) also places great significance on the desirability of sustaining and enhancing heritage assets, and on new development making a positive contribution to local character and distinctiveness (paragraph 203). This is echoed in Policy CS20 (LPCS), which states that the significance of the Borough's heritage assets and their setting should always be preserved or enhanced. Saved Policy TC2 of the Local Plan 1994 sets out that for development affecting the setting of listed buildings, the primary consideration is the maintenance of the integrity of the original listed building, and whether the character or appearance of the listed building will suffer as a result. Proposals must be sympathetic in terms of their appearance and materials.

Saved Policy TC3 of the Local Plan 1994 also states that development is expected to make a positive contribution to the conservation area. As the application site lies within the High Street/Queen Street conservation area, these policies are all relevant to the consideration of this application.

Whilst it is recognised that development which makes effective use of land should be supported (paragraph 123 of the NPPF (2023)), this comes with the proviso that it should safeguard and improve the environment and not conflict with other policies in the NPPF (2023). Relevant to this proposal, paragraph 128 of the NPPF (2023) which states that developments that makes efficient use of land should be supported, taking into account the desirability of maintaining an area's prevailing character and setting, and the importance of securing well-designed places.

The Queen St Conservation Area Appraisal highlights shop fronts as a negative feature, stating that poor design and modern materials, cluttered shop frontages and garish window displays are unsympathetic alterations to historic buildings and represent a loss of original architectural features. Therefore, from a historic building perspective, the existing shop front contributes to the negative features within the Conservation Area through poor design, cluttered frontage and the use of modern materials and advertising which already causes harm to the character of the Conservation Area. The introduction of an illuminated ATM further exacerbates the harm and compounds the negative impact on the Conservation Area.

Overall, it is considered that the ATM cashpoint in the shopfront fails to preserve the character and appearance of the Queen Street Conservation Area. The proposal does not therefore meet the statutory test of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) (LPCS), saved policy TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review (1994) as well as Sections 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment) NPPF (2023).

Impact on the Highway

The ATM is installed on the shopfront, directly adjacent to the narrow footway of Queen St. This has the potential to impact the footway when customers are withdrawing cash, however Gravesham's Highways Officer has raised no objection to the development. Therefore, the proposal is not considered to have any highway impacts.

Any Other Material Planning Considerations

Designing Out Crime (Secured By Design) – Kent Police Designing Out Crime provided comment on the application and raised a number of security measures are implemented through condition. This includes

measures of securing the footway and shielding the customers withdrawing cash, with bollards suggested as a means of achieving this. However, this would impact on the highway and would require consent of KCC Highways by virtue of undertaking work on their land.

Therefore, without adequate security measures in place the proposed development is not fit for purpose and does not create a safe and secure environment contrary to core principles set out in Policy CS19 (LPCS).

Conclusion

The application has been fully considered and is contrary to local and national planning policy.

The cashpoint (ATM) fails to preserve the character and appearance of the Queen Street Conservation Area by introducing a modern illuminated feature into the shopfront, creating a more cluttered appearance, and is not fit for purpose, safe or secure contrary to Secured By Design Principles. Therefore, the proposal fails to meet the statutory test of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and is contrary to Policies CS19 (Development and Design Principles) and CS20 (Heritage and the Historic Environment) of the Gravesham Local Plan Core Strategy (2014), saved policy TC3 (Development Affecting Conservation Areas) of the Gravesham Local Plan First Review (1994) as well as Sections 12 (Achieving well-designed places) and 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2023).

Recommendation

Refusal

(For reasons for refusal and informatives, see draft Decision)

Case Officer:	Mr Ethan Bonthron	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	7 th March 2024	Dated:	07 March 2024