

Application: 2024/904
Location: Car Park, Ellice Road, Oxted, Surrey, RH8 0PY
Proposal: Installation of freestanding Automated Telling Machine ("ATM").
Ward: Oxted North

Decision Level: Planning Committee

Constraints – Urban Area, Town Centre Area, BOA, EA Floodzone2, EA_ROFSW_1_IN_30

RECOMMENDATION: **APPROVE, subject to conditions**

This application is reported to Committee as the site is Council owned.

Summary

1. The site is located within designated town centre. The proposed ATM would not have a detrimental impact on the character and appearance of the area or impact on highway safety. It would provide a community benefit and enhance the vitality of the town centre.
2. As such, the development is found to be acceptable in accordance with Policies CSP1, CSP13, CSP15, CSP17, CSP18, CSP23 of the Tandridge District Core Strategy 2008, Policies DP1, DP2, DP7 of the Tandridge Local Plan: Part 2 – Detailed Policies 2014. The application is therefore recommended for approval.

Site Description

3. The site currently comprises a parent and child parking space adjacent to the public toilets located within the Ellice Road Car Park, in the centre of Oxted. The site falls within the defined Town Centre, adjacent to the designated Primary Shopping Area.

Relevant History

4. There are no planning applications of relevance relating to the redlined application site.

Key Issues

5. The key considerations are the impact of the proposal on the street scene and locality; impacts on the occupiers of adjoining properties, impacts on car parking provision and highway safety issues.

Proposal

6. The application seeks planning permission for the erection of a freestanding Automated Telling Machine (ATM).
7. The structure would have a footprint measuring 3.362m wide x 1.806m deep x 2.455m height (2.905m overall, inclusive of advertisement fascia).
8. The ATM would be clad in cedar slats and would include roof mounted solar panels and associated advertisement fascia. Bollards would be installed to ensure user safety and protect the ATM from vehicle strike.

9. It is proposed to remove an existing fence and timber door which currently encloses where Council staff keep toilet cleaning equipment. A 1.8m high wooden fence would be erected to prevent access to the rear of the ATM. However, as per Class A, Part 2, Schedule 2, of The Town and Country Planning (General Permitted Development) (England) Order 2015 (relating to gates, fences, walls etc) the erection of the fence in this location does not require planning permission.
10. An associated application for Advertisement Consent (2024/708) is reported elsewhere on this Agenda.

Development Plan Policy

11. Tandridge District Core Strategy 2008 – Policies CSP1, CSP13, CSP15, CSP17, CSP18, CSP23
12. Tandridge Local Plan Part 2 – Detailed Policies 2014 – Policies DP1, DP2, DP7

Supplementary Planning Documents (SPDs), Supplementary Planning Guidance (SPGs) and non-statutory guidance

13. Tandridge Parking Standards SPD (2012)
14. Surrey Design Guide (2002)

National Advice

15. National Planning Policy Framework (NPPF) (December 2024)
16. Planning Practice Guidance (PPG)
17. National Design Guide (2019)

Consultation Responses

18. Consultation responses summarised below.

Statutory Consultation Responses

19. Highways Officer: THE COUNTY HIGHWAY AUTHORITY are satisfied with the details provided and can conclude that the application would not have a material impact on the safety and operation of the adjoining public highway. The County Highway Authority therefore has no further highway requirements.
20. Surrey Police (Designing out Crime Officer): The location bothers me, and I would prefer to see it in a more central location in the car park
21. Oxted Parish Council: No objection

Public Representations/Comments

22. Third Party Comments: One letter of objection received.

Objections

- The ATM would be located in an unsafe place.
- Elderly people would find the access from the High Street intimidating in the dark.

Assessment

Procedural note

23. The Tandridge Development Plan is formed of Tandridge District Core Strategy 2008, Tandridge Local Plan Part 2: Detailed Policies 2014-2029, Caterham, Chaldon & Whyteleafe Neighbourhood Plan 2021, Limpsfield Neighbourhood Plan 2019, Tatsfield Neighbourhood Plan 2024 and Woldingham Neighbourhood Plan 2016, as well as the Surrey Waste and Minerals Plans. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require decisions to be taken in accordance with the Development Plan, unless there are material considerations that indicate otherwise.
24. The NPPF is a material consideration in planning decisions and its policies have to be taken into account in dealing with applications from the day of its publication. It is important to note that even though the adopted Development Plan predates the publication of the most recent NPPF, the majority of policies remain up to date. Policies will be given due weight in accordance with their degree of consistency with the NPPF (December 2024, paragraph 232).

Impact on Vitality

25. Chapter 7 of the NPPF concerns ensuring the vitality of Town Centres. Paragraph 90 notes that planning policies and decisions should support the role that Town Centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation, including the promotion of their vitality and viability.
26. Policy CSP23 of the Core Strategy states that the Council will seek to protect and enhance the role of Oxted town centre by working with its partners to undertake specific improvements to the physical environment and increase the range of services and facilities.
27. Local Plan Policy DP2 states that within the Town Centre of Oxted, the Council will support proposals for new development, redevelopment, extension or change of use where they are appropriate in terms of scale, type and design. Where practical and viable, the Council will also encourage the introduction of pop-up shops and other appropriate temporary uses where they support the longer-term vitality and viability of the town centre. Proposals must not adversely affect the viability and vitality of the Shopping Area, or the environment and amenities of the surrounding areas including residential properties, by reason of smell, noise or other environmental problems.
28. The proposed ATM (Class E use) would complement the uses surrounding the site and would be of a scale appropriate to its location. The ATM would attract existing and new users and members of the public and would increase the potential for linked trips to the site and other uses within the surrounding area.

29. The ATM would be accessible 24/7, which would be a benefit over and above standard bank branch opening hours.
30. In view of the above, it is concluded that the proposal would maintain and enhance the vitality of the town centre in accordance with Policy CSP23 of the Core Strategy

Character and Appearance

31. Paragraph 131 of the NPPF December 2024 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. It goes on to state that planning decisions should ensure that developments will function well, add to the overall quality of the area, be sympathetic to local character and history (whilst not discouraging innovation) and establish a strong sense of place. It also states that development that is not well designed should be refused.
32. Policy CSP18 of the Core Strategy requires that new development should be of a high standard of design that must reflect and respect the character, setting and local context, including those features that contribute to local distinctiveness. Development must also have regard to the topography of the site, important trees or groups of trees and other important features that need to be retained.
33. Policy DP7 of the Local Plan Part 2: Detailed Policies requires development to, inter alia, respect and contribute to the distinctive character, appearance and amenity of the area in which it is located, have a complementary building design and not result in overdevelopment or unacceptable intensification by reason of scale, form, bulk, height, spacing, density and design.
34. The application site is located the designated town centre within an urban environment. The proposed ATM structure is of functional design and is of discrete scale and massing. Although it would be visible from the public domain it would have no detrimental impact on the character and appearance of the street scene or on the wider area.
35. For these reasons, the proposed development is considered to accord with design aspirations of Policy CSP18 of the Core Strategy, and Policy DP7 of the Local Plan.

Residential Amenity

36. Policy CSP18 of the Core Strategy advises that development must not significantly harm the amenities of the occupiers of neighbouring properties by reason of overlooking, overshadowing, visual intrusion, noise, traffic and any adverse effect. Criteria 6-9 of Policy DP7 of the Local Plan Part 2: Detailed Policies seek also to safeguard amenity, including minimum privacy distances that will be applied to new development proposals.
37. The above policies reflect the guidance at Paragraph 135 of the NPPF, which seeks amongst other things to create places that are safe, inclusive and

accessible and which promote health and well-being, with a high standard of amenity for existing and future users of development.

38. The site is located in public parking area, within the town centre, and therefore a degree of disturbance, from vehicle and pedestrian movement is commonplace. The proposal is not therefore considered to significantly affect the residential amenities of the occupiers of the upper floors of the retail parade fronting the High Street, some 20m to the west.
39. For the reasons outlined, the proposal is considered acceptable in terms of the potential impact upon the residential amenities of existing properties and therefore no objection is raised in this regard against Policy DP7 of the Local Plan (2014), and Policy CSP18 of the Core Strategy (2008).

Access Safety and Security

40. Paragraph 96 of the NPPF notes that planning decisions should aim to achieve healthy, inclusive and safe places which inter alia *“Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas”*
41. The Surrey Police (Designing out Crime Officer) commented as follows: *The location still bothers me and I would prefer to see it in a more central location in the car park. However, if it has to be in this corner, the whole area should be cleaned and brighten up, graffiti removed etc. and a lighting review carried out by a specialist company. Despite the presence of monitored CCTV, I would recommend that the depositing of cash as a curfew on it of say 0800–2000, to ensure that deposits are only made at the times when the area is at its most active. Also please consider a mirror above the ATM to enable users to be aware of anyone trying to ‘shoulder surf’ their PIN.*
42. The design would incorporate a series of safeguarding and security measures for customers and servicing staff including use of internal steel secure structure, pin guard, mirrors, spyhole for access door, security bollards, rear and side boundary fencing comprising cedar batons and CCTV.
43. The positioning of the ATM benefits from natural surveillance associated with motorists using the parking area and pedestrians using the adjacent public toilets and the nearby passageway to Station Road East. Regular pedestrian activity would continue in the vicinity throughout the day and evening.
44. As such, subject to appropriate conditions, the proposed scheme would comply with the provisions of the NPPF.

Parking Provision and Highway Safety

45. Paragraph 116 of the NPPF December 2024 states that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’
46. Policy CSP12 of the Core Strategy advises that new development proposals should have regard to adopted highway design standards and vehicle/other parking standards. Criterion 3 of Policy DP7 of the Local Plan also requires

new development to have regard to adopted parking standards and Policy DP5 seeks to ensure that development does not impact highway safety.

47. Ellice Road Car Park comprises a total of 163 standard car parking spaces as well as 4 disabled spaces, 2 parent spaces and 3 motorcycle spaces. The application site currently comprises 1 parent and child parking space, however, there would be no net loss in the number of parent and child parking spaces at the parking area. (There would be a loss of two standard car parking spaces to allow for the reprovision of the parent and child parking space).
48. Officers consider that the proposal would not result in a requirement for an increase in parking provision on the site. The use of the site is established with customers visiting the site throughout the day. If there are a small number of additional vehicles generated by the proposal, they are unlikely to be detrimental to the safe and free flow operation of the highway.
49. The County Highway Authority has no objections to the scheme.
50. It is concluded that the proposal would not negatively impact upon highway safety and as such comply with the provisions of Core Strategy Policy CSP12 and Local Plan Policies DP5, DP7 and the NPPF.

Conclusion

51. The proposed development would deliver a community benefit in a sustainable location. It would not have a detrimental impact on the character of the area and there would be no impact on personal safety or on highway safety.
52. For the reasons outlined above, the application is recommended for approval.
53. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008, the Tandridge Local Plan: Part 2 – Detailed Policies in accordance with the NPPF 2024. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.
54. All other material considerations, including third party comments, have been considered but none are considered sufficient to change the recommendation.

RECOMMENDATION:

APPROVE subject to conditions

1. The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This decision refers to drawings CNX-DRW-39108-REVB PROPOSED LAYOUT, CNX-DRW-39108-CCP-FINAL, CNX-DRW-39108-CCP-BARE. The development shall be carried out in accordance with these approved drawings. There shall be no variations from these approved drawings.

Reason: To ensure that the scheme proceeds as set out in the planning application and therefore remains in accordance with the Development Plan.

Informatives:

1. Condition 2 refers to the drawings hereby approved. Non-material amendments can be made under the provisions of Section 96A of the Town and Country Planning Act 1990, and you should contact the case officer to discuss whether a proposed amendment is likely to be non-material. Minor material amendments will require an application to vary condition 2 of this permission. Such an application would be made under the provisions of Section 73 of the Town and Country Planning Act 1990. Major material amendments will require a new planning application. You should discuss whether your material amendment is minor or major with the case officer. Fees may be payable for non-material and material amendment requests. Details of the current fee can be found on the Council's web site.
2. The recommendation is made in light of the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG). It is considered that in respect of the assessment of this application significant weight has been given to policies within the Council's Core Strategy 2008 and the Tandridge Local Plan: Part 2 – Detailed Policies 2014 in accordance with the NPPF. Due regard as a material consideration has been given to the NPPF and PPG in reaching this recommendation.