
Appeal Decision

Site visit made on 16 May 2017

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 June 2017

Appeal Ref: APP/C2708/Z/17/3169333
26 High Street, Skipton, BD23 1JZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Harry Garlick Ltd. against the decision of Craven District Council.
 - The application Ref 63/2016/17466, dated 12 October 2016, was refused by notice dated 8 December 2016.
 - The development is described as installation of a security roller shutter that has been installed externally to the shop front.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The development for which planning permission is sought in this case is complete and the planning application subject of this appeal has been made retrospectively.

Main Issues

3. I consider that the main issues in this case are the effect of the appeal scheme on: the character and appearance of No. 26, Skipton High Street and the Conservation Area of which it forms part; and, the setting of nearby Listed Buildings.

Reasons

4. In common with many of the other properties that front onto Skipton High Street, within the Skipton Conservation Area, the ground floor of No. 26 contains a commercial unit. Although the frontages of these units are predominantly glazed there is significant variety in the window framing and doorway details. Together these frontages give the street scene the appearance of a traditional shopping street. This contributes positively to the character and appearance of the Conservation Area as well as the setting of the statue of Sir Matthew Wilson, which is the closest Listed Building to the appeal site. It is positioned on the footway in front of the library building that adjoins the southern side of No. 26. Furthermore, where window displays can be seen they add further interest to the street scene, which is likely to attract passers-by even outside normal opening hours, contributing to the vibrant character of the High Street.
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5. *The Planning (Listed Buildings and Conservation Areas) Act 1990* indicates that in considering whether to grant planning permission for development which affects the setting of a Listed Building, special regard shall be had to the desirability of preserving its setting. It also requires, in relation to buildings within Conservation Areas, that special attention be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
6. The appeal scheme comprises a cream coloured roller shutter which has been attached to the outside of the frontage of No. 26. Although the shutter is perforated, the openings are small so that the architectural features of the shop front are almost entirely obscured when the shutter is closed, as it was during my site visit. When the shutter is closed, the largely blank frontage of the commercial unit has a discordant and unduly obtrusive appearance in the High Street frontage. Furthermore, the closed shutter gives the unit a fortress-like appearance, which creates a sense of hostility and is likely to diminish the vibrant character of the High Street. It detracts significantly from the character and appearance of the property and the contribution it makes to the group value of the properties along the western side of the High Street. As the Conservation Area covers a wide area, I consider that the harm caused to its character and appearance is small. However, No. 26 is seen together with the neighbouring statue, which is a grade II Listed Building, from most directions. As a result, the closed shutter has a substantial negative impact on the setting of that designated heritage asset.
7. The appellant has drawn my attention to a number of examples of other units along High Street and Sheep Street which have roller shutters. However, although some have shutters that obscure the doorways to the units, with one exception, none have shutters on the outside of the display windows and so much of the architectural detailing of those frontages remains visible. As regards to the property identified by the appellant as 'Hannam Jewellers', which does have external shutters, it is situated some distance away from No. 26 on Sheep Street and there is no evidence before me to show that it affects the setting of a Listed Building. It appears to me that none of the examples cited by the appellant are directly comparable to the appeal scheme and in my judgement, they do not justify the harmful development of the appeal site.
8. I conclude that the appeal scheme causes substantial harm to the character and appearance of No. 26 and significant harm to that of the High Street. In these respects the appeal scheme conflicts with the aims of the *National Planning Policy Framework* (the Framework), which gives encouragement to high quality design, the promotion or reinforcement of local distinctiveness. None of the policies of the Development Plan have been identified as relevant by either the Council or the appellant. The scheme also harms the significance of the neighbouring Listed Building and that of the Conservation Area, albeit I consider that those harms are less than substantial. In these circumstances the Framework indicates that the harm to the significance of the designated heritage assets should be weighed against the public benefits of the scheme.

Other matters

9. I give little weight to the benefit of the appeal scheme in providing security, as it appears to me that this could be achieved in a far less obtrusive and

discordant manner, with particular reference to the internal shutters I saw elsewhere along the street.

10. I understand that the appeal site falls within an area covered by an Article 4 Direction-*Skipton Direction No. 2-Skipton Town Centre*, which indicates that permission is required for painting the exterior of any building. However, as it does not prohibit roller shutters and the colour of the appeal scheme could be controlled by condition, in the event that planning permission is granted in this case, I consider that the Article 4 Direction is of little relevance in this case.

Conclusion

11. I conclude on balance, that the benefits of the appeal scheme are significantly and demonstrably outweighed by the harm that it causes and the scheme does not amount to sustainable development under the terms of the Framework. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR