
Appeal Decision

Site visit made on 30 October 2017

by Andrew McGlone BSc MCD MRTPI

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

Decision date: 2 November 2017

Appeal Ref: APP/C2741/W/17/3180255
44 Broadway, York YO10 4JX

- 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 Mrs Uzmah Zaman against the decision of City of York Council.
 - The application Ref 17/00876/FUL, dated 7 June 2016, was refused by notice dated 26 June 2017.
 - The development proposed is a new roller shutter door.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I saw on my site visit that the proposed roller shutters had been erected, together with their housing. They are finished in a light grey colour. I have considered the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed shutters on the character and appearance of the area, with regard to promoting a safe and secure environment.

Reasons

4. The appeal premises are part of a small shopping parade. In front of the shopping parade is off-street car parking. Residential properties directly face the shopping parade on Broadway. A bus stop is directly in front of the appeal premises. Broadway is lined by street lighting and trees.
5. The proposed roller shutters have small perforated holes in each panel. Consequently, the security shutters would, when closed, largely conceal the inside of the premises, thereby creating a solid barrier across the façade of the shop. As a result, they have a detrimental effect on the character and appearance of the premises. There is an external roller shutter in front of the ATM machine at the co-operative store and the gift shop may also have an external security shutter. However, the proposed roller shutter is considerably larger in scale and it is more prominent as it is not screened by a fascia sign. Thus, the proposed development has a far more pronounced effect in Broadway, even if the proposed roller shutters replaced the former shop front. As such, they harm the visual appearance of the property and the nearby area.

6. Neighbouring premises in the shopping parade are generally open between the hours of 08:30 and 18:00. The co-operative store, however, is open between the hours of 07:00 and 22:00. As a result, customers of the co-operative store use the shopping parade when the appeal premises are closed. Nearby residential properties have clear views of the appeal site and Broadway is used by passing traffic. Thus, the appeal premises have a good degree of natural surveillance.
7. I note the handful of incidents in the shopping parade, and the appellant's aim to secure the premise against potential burglaries. However, the low number of incidents does not necessarily mean that the proposed shutters are the most suitable option. Although, the proposed shutters do secure the premises, a balance needs to be struck insofar as the character and appearance of the area. There is also no evidence to suggest that alternative means of securing the premises have been considered, or that the appellant has discussed their scheme with The North Yorkshire Police Architectural Liaison Officer. Hence, the design of the proposed shutters results in a 'run down' appearance that in turn increases the fear of crime.
8. Although the appeal follows an earlier refused planning application¹, I conclude that proposed shutters cause significant harm to the character and appearance of the area and they do not promote a safe and secure environment. The proposal is therefore contrary to Policy GP17 of the City of York Development Control Local Plan and paragraphs 56 to 58 of the National Planning Policy Framework; which jointly seek high quality shutters that do not cause an adverse impact on the appearance of the building to which they are to be attached or its locality; and create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion.

Conclusion

9. For the reasons given above I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR

¹ Council Application Ref: 16/01404/FUL