
Appeal Decision

Site visit made on 2 November 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 14th November 2017

Appeal Ref: APP/W3005/W/17/3179384

**Annesley Woodhouse Post Office, 184-186 Forest Road, Annesley
Woodhouse NG17 9JB**

- 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 Mr Jaspal Chatha against the decision of Ashfield District Council.
 - The application Ref V/2017/0213, dated 21 March 2017, was refused by notice dated 12 June 2017.
 - The development proposed is the installation of new open grill electric roller shutter.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. For the avoidance of doubt, I have amended the description of the proposal to remove superfluous wording from that given on the application form which is not related to development.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is situated within a row of terraced dwellings. The appeal property is a post office and small convenience store which has been created through the conversion of two of the dwellings. The unit has a double frontage, one half of which is taken up with a shop front. What is reasonably assumed to have been the main shop window has been replaced with a large sign and does not allow any of the interior of the store to be seen. The shop door is inset from the frontage and there is a narrow side window. There is a fascia sign running across the shop front, with a number of other signs sporadically located across the width of the shop. The other half of the shop frontage is made up of an internally barred window and a small public noticeboard in the position of the former door to the dwelling.
5. The post office is the only commercial property in the terrace. There are other shops and commercial uses located sporadically along the street. While it is not unusual to see security measures associated with shop fronts, Policy SH8 of the Ashfield Local Plan Review (ALPR) (2002) specifically highlights the

- potential negative effect that the installation of external roller shutters can have both individually and cumulatively on the street scene.
6. Notwithstanding the existing difference in character between the shop front and dwellings, the functional and utilitarian design and appearance of the shutter would be an unsympathetic addition to the terrace that would detract from its overall appearance. Although it would be of an open grill design, when closed the majority of the shopfront would remain concealed and would thus create an unattractive and dead frontage that would be harmful to the character of the area.
 7. The fact the shutter would be closed only at night does not mean that it would not be a highly visible and prominent structure that would contribute to the creation of an unwelcoming environment. Even when open, the shutter box and rails on either side of the shop front would still appear as bulky and unattractive features on the front of the building.
 8. Some of the other commercial uses located along the street have roller shutters. The Council has explained that not all of these have planning permission and those which do were granted some time ago. This does not alter the fact that they are existing features in the street scene. However, at the time of my visit a number of the shutters remained closed and this confirmed that they are generally unattractive features which make little positive contribution to the aesthetic quality of the area. These examples do not justify the further erosion of the character of the street scene which would arise from the appeal proposal.
 9. I also share the Council's concern that a proliferation of external roller shutters can lead to public perceptions of an unsafe area, particularly at night. This would also be to the detriment of the general character of the area.
 10. In conclusion, I find that the development would harm the character and appearance of the area. Accordingly, there would be conflict with ALPR policies ST1(b) and SH8(g) which seek to ensure security measures do not have an unacceptable impact on the character and appearance of the area. There would also be conflict with Section 7 of the National Planning Policy Framework (the Framework) which seeks, amongst other things, to ensure a good quality of design.

Other Matters

11. I recognise that the appellant wishes to install the shutter as a result of a break in to the store. I sympathise with concerns over the safety and security of the appellant and his family and the costs associated with the robbery. However, I observed that the store was subject to CCTV and the post office counter was enclosed from the rest of the store. The window related to the post office counter is also barred from the inside. While this may not be sufficient to fully address the fear of crime described by the appellant, it does suggest that there are existing security measures in place that would act as some form of deterrent.
12. The creation of a safe environment is an important consideration and the Council clearly gave this issue proper regard in its determination of the application. However, ALPR Policy SH8 clearly seeks to balance this objective with maintaining the quality of the character and appearance of an area. I do

not consider that the appellant has fully demonstrated that there are no suitable alternative solutions which could achieve the same ends as the roller shutter. It is not clear from the evidence whether other electronic measures are in place, or could be put in place, that would act as a deterrent. Moreover, it is not clear whether other physical alterations have been considered to the side window or door which would improve security. As the majority of the shop front is signage, and presumably therefore is less vulnerable to break in, it is also not clear why the roller shutter needs to take up its full width.

13. The appellant argues that internal removable shutters would not be appropriate, though this seems primarily related to convenience and current circumstances of employees, rather than any physical or viability constraint. As such, I am not fully convinced that this should be ruled out in principle as a solution. In any event, it is also not clear that this measure would be the only alternative or if any other solutions have been considered and ruled out. The evidence put to me does not suggest that the security risk is so severe or frequent as to justify a proposal that would have a significant effect on the character and appearance of the street, particularly where alternative solutions have not been ruled out to my satisfaction.
14. The appellant has drawn my attention to a Co-op store on Skegby Road which has roller shutters in place and was granted permission relatively recently. I had the opportunity to observe this store and could see that it is a detached purpose built unit where security measures have presumably been integrated as part of the overall design. While it is also within a residential area, the store is clearly different in scale and nature to the appeal property, as is its relationship with other dwellings in the street. I do not consider that the presence of roller shutters on the Co-op justifies the same approach on a residential terrace, nor do I see any inconsistency in the approach of the Council. In any event, I have considered the appeal on its own merits based on the evidence before me and my observations of the area.
15. The appellant has indicated that there is support for the proposal from the Police Architectural Liaison Officer. There is nothing before me to confirm this, but in any event this does not outweigh my concerns over the effect of the proposal. There is also nothing before me to suggest that my dismissal of the appeal would result in any threat to the on-going viability of the business.

Conclusion

16. I have taken account of my observations at the site and all matters raised in the written representations, including the appellant's wish to make the premises more secure. However, in the circumstances of this appeal, the material considerations considered above do not justify making a decision other than in accordance with the development plan. For this reason, the appeal should be dismissed.

S J Lee

INSPECTOR