

Appeal Decision

Site visit made on 23 July 2019 by John Gunn DipTP Dip DBE MRTPI

Decision by A U Ghafoor BSc (Hons) MA MARTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2019

Appeal Ref: APP/K3415/W/19/3228739
25-27 Market Street, Lichfield WS13 6JX

- 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 B&M Retail Ltd against the decision of Lichfield District Council.
 - The application Ref 19/00166/FUL, dated 20 February 2019, was refused by notice dated 29 April 2019.
 - The development is replacement of old concertina doors with new roller shutter doors to the main entrance.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The application form describes the proposal as replacement of old concertina doors with new roller shutter doors to the main entrance. The Council's decision notice amends the description of the proposal to read: '*Retention of roller shutter doors to car park entrance*'. This best reflects what I saw on my site visit and the appeal proposal. I will proceed on that basis. In addition, the Council has confirmed by email that on 16 July 2019 they adopted the Lichfield District - Local Plan Allocations 2008 – 2029, which includes Policy BE2. Policies C2 and C7 of the Lichfield District Local Plan (1998), referred to in the decision notice, are no longer relevant. I will determine the appeal on this basis.

Main Issue

4. The main issue is the effect of the roller shutter doors to the car park entrance on the character and appearance of the host property and the surrounding area including whether it preserves or enhances the character or appearance of the Lichfield City Conservation Area (CA).

Reasons for the Recommendation

5. The appeal property is a retail store located within the CA, which is defined by the layout of the streetscape and buildings in commercial use. The store has a main entrance

fronting Market Street but also benefits from a second entrance at the rear of the property, and the appeal development has taken place at this second entrance. The shutter box protruded from the rear elevation of the host building by a small distance and the shutter covered the full extent of recessed rear doors to the store. Its blue colour, which contrasts strongly with the brick building, combined with its size and solid construction make it a visually prominent feature when seen from the well-used public car park. Although the rear elevation of the host property is less sensitive than the Market Street frontage, it faces towards the Minster Pool, and Lichfield Cathedral, which lie to the west.

6. Views of the rear elevation of the host property, and its neighbours, are already regarded as having a negative impact on the quality of the CA according to the appraisal document. The roller shutter has added a further incongruous feature to this poor elevation and, as a consequence, visually harms the character and appearance of the area. National Planning Policy Framework (the Framework), at paragraph 192, sets out matters which should be taken into account including sustaining and enhancing the significance of the heritage asset and the desirability of new development making a positive contribution to local character and distinctiveness. Given my findings above, the proposal would neither preserve or enhance the character or appearance of the CA. It would not make a positive contribution to local character and distinctiveness.
7. The harm caused is less than substantial nevertheless of considerable importance and weight. This harm should be weighed against the public benefits. The appellant has stated that the works were undertaken due to the old concertina door installation being redundant, damaged, in poor decorative order and deemed as a major security risk to the store. I have been provided with no information regarding the condition of the concertina doors that were removed from the host property. I observed that CCTV cameras existed on the rear wall of the host premises and within the public car park, however, no further evidence relating to security risk has been submitted. These matters do not amount to public benefits which outweigh the great weight that I am required to give to the harm that would be caused to the significance of this designated heritage asset.

Conclusion and Recommendation

8. For all of the above reasons I conclude that the development does not respect the character and appearance of the host property or the area and it does not preserve or enhance the character or appearance of the CA. Accordingly, the scheme is contrary to Policies BE1 and Core Policy 14 of the Lichfield District - Local Plan Strategy 2008 – 2029 (adopted 17 February 2015), Policy BE2 of the Lichfield District - Local Plan Allocations 2008 – 2029 (adopted 16 July 2019). Having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Gunn

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR