
Appeal Decision

Site visit made on 6 October 2020

by M Shrigley BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th October 2020

Appeal Ref: APP/V4250/W/20/3250953

The Tanning Lounge 164 Poolstock Lane, Wigan WN3 5HW

- 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 Miss Stephanie Grimshaw against the decision of Wigan Metropolitan Borough Council.
 - The application Ref A/19/88210/RET, dated 22 November 2019, was refused by notice dated 17 January 2020.
 - The development proposed is for the retention of two box framed roller shutters on frontage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have streamlined the description of the development given in the banner to that given on the planning application form to exclude the additional descriptive elements which do not fundamentally alter what is applied for nor is a contested matter in the appeal correspondence.
3. At my site visit I could see that the roller shutters had been erected and were consistent with the appeal drawings.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and the locality.

Reasons

5. The appeal property is situated at the end of a line of terraces and occupies a corner plot. The character of the area largely comprises of terraced dwellings with infrequently occurring commercial uses each side of the road, including directly opposite the appeal premises.
6. The two roller shutter boxes project outward from the building by around 200mm and are positioned above two first floor windows on the front elevation. Their colour is bright, but it matches the existing fascia signage and the roller shutter box present at ground floor level. Although there is nothing similar in the immediate vicinity, I acknowledge that the roller shutter boxes are seen in the context of a property with an existing commercial character and other commercial properties situated along the highway.

7. Nevertheless, the roller shutters are still noticeable given their projection height and colour. When extended they also result in a far more pronounced effect in the street scene by generating an increased commercial character to the building where residential uses dominate. The effect is discordant with the prevailing residential character of the area and other commercial premises which have consistent uncovered glazed first floor window openings along the road. As a result, the presence of the roller shutters appears incongruous and visually harmful to the street-scene. I have considered potential scope to use planning conditions to ensure a different and less bright colour, but the shutters would still appear harmful.
8. I conclude that the development is harmful to the character and appearance of the host building and locality. As a result, the development does not comply with Policies CP10 and CP17 of the Wigan Local Plan Core Strategy Development Plan Document which require: that development effectively integrates with its surroundings and helps create attractive places; as well as discouraging adverse impacts to amenity.

Other Matters

9. The appellant raises security and crime concerns as the cause to install and retain the shutters. I am also aware that the appellant has purposely paid extra money for the shutters to be the same colour as the ground floor but there are less obtrusive ways of boosting building security.
10. Moreover, I have factored the opening hours of the business. However, the shutters are still a physical feature of the building irrespective of trading hours where there are no other similar proposals in the immediate vicinity and such a consideration does not affect the substantive harm I have identified. Therefore, my decision remains unaltered.

Conclusion

11. For the reasons given above the appeal is dismissed.

M Shrigley

INSPECTOR