



Appeal Decision

Site visit made on 24 May 2022 by S Witherley CICHM MRTPI

Decision by J Hunter BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 June 2022

Appeal Ref: APP/Y5420/W/22/3291928

20 Crescent Road, Wood Green, London N22 7RS

- 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 V Viner against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2021/3503, dated 24 November 2021, was refused by notice dated 27 January 2022.
 - The development proposed is: Alterations to the shop front including new glazing and relocating the entrance door.
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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.

Preliminary Matters

3. At the time of my site visit, the development had already been carried out. However, the solid grey security shutter was closed when I visited. Within the Design and Access statement there are photographs showing both the previous shop front and the replacement as constructed. In addition, drawings were submitted with the application which illustrate both of these shopfronts. I am therefore satisfied that I have sufficient information to assess the proposal.

Main Issues

4. The effect of the proposal on i) the character and appearance of the appeal building and the surrounding area and ii) access to the premises for all users.

Reasons

5. The appeal site is an end of terrace building with a commercial unit at ground floor. It sits within a parade of commercial premises which are arranged along both sides of Crescent Road. The area is characterised by the variety of traditional and modern shopfronts present.
6. Those units displaying traditional shop fronts feature a number of attractive architectural features including well-proportioned fascia boards with cornices above, detailed corbels, glazing bars which emphasise vertical and or horizontal features, balanced stall risers, pilasters either side of the shop front and

- detailed recessed entrances, all of which make a positive contribution to the character and appearance of the area.
7. While the previous shopfront has been removed, from the details submitted it is clear that this was of traditional construction and included a timber frame with a centrally located, recessed door, set with display windows either side.
 8. The appeal scheme details the replacement of the previous shopfront with one that has removed the traditional level access and central recessed doorway with a stepped entrance which is now located at the far end of the unit. The building line of the unit has also been brought forward. A number of the traditional features such as the timber frame and glazed tiles at the base of the unit have been removed. The development in situ also has a security roller shutter in place which I was able to observe at the time of my site visit.
 9. The replacement of the traditionally designed, timber shopfront with a modern and unsympathetic replacement fails to replicate the original in terms of both design and materials. As a result, there has been a diminution of the quality of the shopfront at this location, which diminishes the positive contribution of the parade as a whole. It is accepted that there are examples of other unsympathetic shopfronts in the vicinity of the site. However, I do not have details of the circumstances that led to the installation of these examples. Furthermore, their unsympathetic appearance does not provide an appropriate template for further shopfront alterations. As such, they do not persuade me of the acceptability of the appeal scheme.
 10. I acknowledge that the built form of the building and urban grain would be unchanged, as well as that there is some variation within the shopfronts present in the area. Additionally, there is reference to the appeal building and neighbouring properties not being statutory or locally listed buildings. These matters do not, however, diminish the harm that has been identified.
 11. As noted, at the time of my site visit the shop front was covered by a solid grey roller shutter. This appeared as an intrusive and monotonous feature that had a harmful prominence in the area, as well as giving a concealed and defensive appearance to the building's façade.
 12. Overall, the development is an incongruous addition to the appeal site with consequential harmful effects on the area. The development, therefore, harms the character and appearance of the host building and the surrounding area. As such, it conflicts with policies DM1, DM2 and DM8 of Haringey's Development Management DPD (2017) (DPD), Policy SP11 of Haringey's Local Plan: Strategic Policies (2017) (HLP) and Policies D3 and D5 of the London Plan (2021) (LP). Together, and other things, these seek to ensure that development is of a high design quality, are attractive, safe and easy to use and that traditional shopfronts along with traditional materials are to be retained and conserved.

Access

13. The traditional level access threshold has been replaced with a step up into the unit. Policy D5 of the LP sets out that inclusive design is to be considered in all aspects of development; this includes the refurbishment of existing buildings. Inclusive design enables all users of the premises to enter and exit the

premises independently without additional effort, separation or special treatment and with dignity.

14. The development, as a result of its design, effectively increases the difficulties faced by disabled users of the premises and prevents them from being as independent as possible. It therefore fails to properly incorporate inclusive design into the provision of the unit.
15. Furthermore, under the Equality Act 2010 (The Act), commercial premises must ensure their premises are fully accessible to people with disabilities. Under The Act, all providers of services have a duty to make "reasonable adjustments" to ensure that disabled people are not placed at a "substantial" disadvantage in comparison to non-disabled people. As part of the duty, organisations must therefore take reasonable steps to avoid substantial disadvantage where a physical feature puts disabled persons at a substantial disadvantage; this includes removing the physical feature in question, altering it or providing a reasonable means of avoiding it.
16. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, victimisation and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
17. Having regard to the aims of the PSED, I consider that access to the premises would be limited for some users and will have a disproportionate impact on those people with protected characteristics, particularly in relation to wheelchair users. This matter carries significant weight.
18. On this main issue, the development, by design, does not provide suitable access to the premises for all users, thereby conflicts with Policy D5 of the LP which seeks the development to have the highest standards of accessible and inclusive design.

Conclusion

1. For the reasons given above and having had regard to all other matters raised, I find that there are no material considerations that indicate the decision should be made other than in accordance with the development plan. It is recommended that the appeal should be dismissed.

S Witherley

APPEAL PLANNING OFFICER

Inspector's Decision

2. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

J Hunter

INSPECTOR