



Appeal Decision

Site visit made on 16 May 2022

by A Price BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2022

Appeal Ref: APP/H5960/W/22/3290912

The Chutney, 11 Alma Road, London SW18 1AA

- 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 Salim Parvez against the decision of the Council of the London Borough of Wandsworth.
 - The application Ref 2021/3629, dated 16 July 2021, was refused by notice dated 22 November 2021.
 - The development proposed is the installation of roller shutter to shop front.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The roller shutter has been installed. I am, therefore, considering the appeal retrospectively.
3. There is a lack of consensus concerning the description of development in the application form, appeal form and Council's decision notice. Therefore, in the interests of natural justice, I have agreed with the main parties the description of development which concisely and precisely identifies the development to which the appeal relates. I have included this in the banner heading above, and I have proceeded to determine the appeal on this basis.

Main Issues

4. The main issue is:
 - whether the development would preserve or enhance the character or appearance of the Wandsworth Town Conservation Area.

Reasons

5. The appeal site comprises the ground floor of a three-storey terraced building, which is in mixed use, located within Wandsworth Town Conservation Area (the CA). The existing shopfront is of a contemporary design, consistent with adjoining shopfronts.
6. Policy DMTS9 of the Wandsworth Local Plan Development Management Policies Document (2016) (LP) sets out that solid security shutters on shopfronts which present blank frontages to shopping streets will not be permitted. The Wandsworth Shopfronts: A Guide to Good Design supplementary planning guidance (the SPG) sets out the principles of good shopfront design. In respect of shopfront security, this guidance is clear that solid external metal shutters

on shopfronts are unattractive, reduce visual interest and should only be considered where there is a continuing problem of vandalism and criminal damage. It goes on to state that shutter-box housing should be integrated within the shopfront or recessed and flush with it.

7. The roller shutter at the appeal site was lowered at the time of my early afternoon site visit. This shutter covers the entire shopfront, although retains access to a separate side door, and contains a series of perforations within the centre of it. The shutter housing projects out from the façade of the building although was partially concealed under the restaurant's retractable awning at the time of my visit.
8. The series of perforations go some way to break the solid nature of the shutter. Nevertheless, this does not have the same effect as, for example, a fully perforated or mesh grill, which would better respect the building and allow full visibility of the shopfront whilst remaining secure. Here, there remain large solid areas of metal which are highly visible from the street, and which generally conceal the shopfront and interior from view. This, in all likelihood, would be the case for much of the day by reason of the evening nature of the business occupying the commercial unit.
9. Although the colour of the shutter is white, to match the shopfront and elements of the building, and a side door is not covered by the shutter, its largely solid metal design is unsympathetic to, and integrates poorly with, the appearance of the appeal property. The shutter forms the only such alteration in the wider terrace which is made up of highly glazed commercial-style frontages at ground floor level. Consequently, the development has a detrimental impact on the character and appearance of the appeal property and wider streetscene.
10. My attention is drawn to several examples of external shutters in the surrounding area. In respect of the example photographs provided, these do not match the list of planning consents provided and I do not have the full details of these before me, including either their age or planning context. Whilst the photos highlight the varied nature of shopfronts in the surrounding area, they also exemplify why solid, or partly solid, shutters can be problematic, with images included of heavily graffitied or soiled shutters.
11. These are highly unattractive, and in any case, I do not consider that they form a dominant feature of the surrounding area, unlike the development before me. In respect of the summary of planning consents listed, these appear to be located in other parts of the borough and are therefore not directly comparable. In any case, I have considered the development on the evidence presented, and site observations.
12. As the appeal site falls within the CA, statute¹ places a duty on me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA lies in Wandsworth Town being one of the oldest and most important settlements within the borough, featuring an attractive townscape and a significant number of listed buildings.
13. The Conservation Area Appraisal (CAA) sets out that the particular area within which the appeal site lies, is a good example of late Victorian suburban

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

development, with a grid of streets centred on Dempster Road, and terraces of houses built in gault brick with Gothic Revival detailing. Although the appeal property is not specifically identified as a positive building within the CAA, neither is it as a negative building and it retains a number of historic features and details.

14. The development is highly visible from Alma Road and can be glimpsed from some neighbouring streets, including Fullerton Road. The roller shutter is an insensitive addition to the building and CA which fails to reflect or respect the local context. It has a harmful impact upon the character and appearance of the CA, neither preserving nor enhancing it. Whilst harmful, I consider the development to give rise to 'less than substantial' harm. In line with the requirements of paragraph 202 of the National Planning Policy Framework (the Framework), this harm must be weighed against any public benefits.
15. I appreciate the contribution of the business to the viability and vitality to the local area and that it contributes economically through taxes. However, the public benefit of this, as a single private business, is limited. Although there are clear benefits to the scheme from the perspective of the owners of the business, the limited public benefit would not outweigh the harm I have identified.
16. Consequently, I conclude that the development harms the character and appearance of the host building and surrounding area and fails to preserve or enhance the character or appearance of the CA. The development is therefore contrary to the relevant provisions of LP Policies DMS1, DMTS5, DMTS9, DMT1, and the SPG. These policies, amongst other things, seek to ensure high quality design in development, including shopfronts, and to protect the character and appearance of the historic built environment. This is consistent with the objectives of the Framework insofar as good design and the historic environment is concerned.

Other Matters

17. I acknowledge the appellant's difficult position in respect of security. Nevertheless, I have found that the proposals before me are unacceptable. I accept that the principle of security shutters and features, where appropriately designed, is accepted by LP policy. However, there is no indication that similar security benefits could not be achieved via an alternative (and less harmful) scheme.
18. The appellant notes that the Framework supports decisions which help businesses invest, expand and adapt, and achieve healthy, inclusive and safe spaces and that Policy SD6 of the London plan (2021) encourages strong, resilient hubs with a diverse range of uses. The appellant states that the proposed development would support these objectives, promoting social integration and contributing to the vitality and viability of the area. I do not question the benefit of the development to the occupants, or the compliance with overarching aims of strategic planning policies. However, these factors are not sufficient to outweigh the harm identified above and do not lead me to determine the appeal otherwise than in accordance with the development plan.

Conclusion

19. For the reasons above and having had regard to the development plan as a whole, and all other relevant material considerations, I conclude that the appeal should be dismissed.

A Price

INSPECTOR