



Appeal Decision

Site visit made on 5 October 2023 by N Unwin BSc (Hons) MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2023

Appeal Ref: APP/H5960/Z/23/3319606

102 East Hill, Wandsworth, London SW18 2HF

- 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 Naveen Nithiyanandan against the decision of the Council of the London Borough of Wandsworth.
 - The application ref 2022/5231, dated 20 December 2022, was refused by notice dated 24 February 2023.
 - The development proposed is for the retention of shop front and solid rolling metal shutter.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. From the appeal documentation and my site visit I note that the proposed development has already been carried out. I have determined the appeal on this basis.
4. Since the determination of application 2022/5231, the Wandsworth Local Plan 2023-2038 (2023) (LP) has been adopted. The LP now forms part of the development plan for the area and supersedes policies of the Development Management Policies Document (2016) (DMP) referred to in the Council's reason for refusal. The main parties were given the opportunity to comment on any implications of the change in policy, and I have taken the representations made into account. I am therefore satisfied that no prejudice would be caused by my determination of the appeal giving full weight to the policies of the LP, and I make no further reference to the DMP.

Main Issue

5. Whether the proposal preserves or enhances the character or appearance of the Wandsworth Town Conservation Area (CA).

Reasons for the Recommendation

6. The appeal site forms a commercial property with shop front adjoining the highway, located within the East Hill Sub-Area of the CA. The Wandsworth Town Conservation Area Appraisal (CAA) identifies the character of this area as

being of mixed commercial and residential uses, in addition to the contribution of surviving traditional shop fronts to the character of the CA and harm caused by low-quality modern shop fronts.

7. The majority of shop fronts surrounding the appeal site utilise stallrisers and glazing bars, visually softening the large openings and subdividing the sizeable windows achieving a vertical emphasis, complementing and relating to the window openings of the upper floors. Such design features preserve the buildings traditional appearance, positively contributing to the historic character of the area. Whilst not a traditional feature, the majority of the surrounding shop fronts have modern roller shutter boxes below the fascia signage.
8. Prior to the proposed works being carried out, the appeal site comprised a shop front with traditional features such as glazing bars and stallrisers. These design elements were reflective of the historic qualities of the surrounding built environment, positively contributing to the character of the CA.
9. The proposal's lack of glazing bars and reduced size of the stallrisers results in a large section of glass, creating the appearance of a single opening at ground floor level which is visually dominant, particularly when viewed within the context of the surrounding segmented shop fronts. The proposal appears at odds with the nearby historic shop fronts and erodes the vertical relationship with the window openings of the upper floors. It therefore diminishes the traditional qualities of its surroundings, harming the character and appearance of the CA.
10. Policy LP8 of the LP requires proposals for new or refurbished shop fronts to avoid solid or perforated roller shutters. The proposal utilises a roller shutter with shutter box located below the fascia signage, similar to those observed on many of the surrounding shop fronts and that of the shop front which it replaced. Whilst this is not a traditional feature, given its prevalence within the locality this element of the proposal does not appear an egregious addition to the street scene, having a neutral impact on the character and appearance of the CA. There are thus material considerations that justify the departure from this element of the above policy in this specific case.
11. With the above in mind, the proposal as a whole would neither preserve or enhance the character or appearance of the CA. Given the scale and location of the scheme, the harm would be less than substantial for the purposes of the National Planning Policy Framework 2023 (the Framework) which also sets out that, in this instance harm should be weighed against the public benefits.
12. No public benefits have been identified which would be consequently capable of outweighing the great weight that I am required to give to the harm that would be caused to the significance of the designated heritage asset. Accordingly, the proposal as a whole would be contrary to Policies LP1, LP3, and LP8 of the Wandsworth Local Plan 2023-2038 (2023) and the Shop fronts Supplementary Planning Document (1988), which when read together, require new developments to relate positively to local character, preserve the character of heritage assets, and for shop fronts to respect the street scene and character of the locality.

Conclusion and Recommendation

13. For the reasons given above, the proposed development would be contrary to the development plan and there are no material considerations, including the approach of the Framework and worthy of sufficient weight, that would indicate otherwise. I therefore recommend that the appeal should be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR