



Appeal Decision

Site visit made on 15 July 2024

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd July 2024

Appeal Ref: APP/H5960/W/24/3341776

239-241 Upper Tooting Road, Wandsworth, London SW17 7TG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Asim Aslam against the decision of the Council of the London Borough of Wandsworth.
 - The application reference is 2023/3946.
 - The development proposed is retrospective planning permission to retain removal of the shopfront, installation of roller shutters and proposed retractable awning.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council considers that the retractable awning would be acceptable. Based on the submitted evidence and what I observed during my site visit, I see no reason to disagree. Consequently, my assessment of the development focuses on the removal of the shopfront and installation of the roller shutters.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host building and area.

Reasons

4. The appeal site is a two storey mid-terraced property with a commercial use at ground floor. Upper Tooting Road in the vicinity of the appeal property comprises terraced blocks with commercial uses at ground floor and mainly residential accommodation on the upper floors.
5. The business operating from the appeal property sells fresh fruit and vegetables, fresh meat, and groceries. The windows/walls facing Upper Tooting Road have been removed. This has left an open shopfront, enabling space for food stalls along its frontage. This contributes to the open and active frontage that the shop presents to the road when it is open. Black solid metal roller shutters have been installed to the front of the shop unit. When not in use, the roller shutters are stored within a shutter box embedded in the wall beneath the shop awning and so sit relatively unobtrusively.
6. Policy LP8 of the 2023 adopted Wandsworth Local Plan 2023-2038 (the Local Plan) states that proposals for new or refurbished shopfronts should avoid solid or perforated roller shutters. The supporting text explains that the policy is intended to require greater care to be taken in shopfront design to maintain

the character and appearance of traditional shopfronts, and to improve the quality of new shopfront designs so they respect and enhance their surroundings.

7. The roller shutters have an essentially solid utilitarian appearance and are of a considerable width and height given the extent of shopfront that they cover. When closed, they will present a blank, featureless frontage, appearing visually harsh and intrusive in the street scene, removing an active frontage, and not enhancing the surroundings.
8. I appreciate the appellant's desire to provide security for the business. The Council's 1988 Shopfronts, A Guide to Good Design seeks to balance the security of shop owners with the effect on appearance. It advises 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. However, no substantive evidence has been presented about any anti-social behaviour or security issues at the property, or to demonstrate that the appeal scheme is the only way in which the desired security could be achieved.
9. From the submitted evidence and what I observed during my site visit, several premises in the vicinity along Upper Tooting Road have roller shutters. Of the examples cited by the appellant¹, it appears that three do not benefit from planning permission and one was dismissed on appeal. In any case, the presence of external roller shutters elsewhere, including nearby buildings, does not provide a justification for the proliferation of features that result in harm.
10. The appellant states that the business operates 24 hours a day, 7 days a week. However, there is no requirement for the premises to stay open and operating for such hours, and so it cannot be ruled out that more extensive use of the roller shutters may occur.
11. The reason for opening the shopfront was to reduce energy consumption by avoiding the need for air conditioning, chillers, and mechanical ventilation. However, no clear evidence has been submitted as to the extent to which energy consumption has been reduced by opening up the shopfront. I do not therefore afford this matter very significant weight.
12. For the reasons given, I conclude that the development harms the character and appearance of the host building and area. Accordingly, it is contrary to Policy LP8 of the Local Plan, as summarised above, and Local Plan Policy LP1 which states that the scale, massing, and appearance of development should provide a high quality, sustainable design amongst other considerations.

Conclusion

13. The development conflicts with the development plan taken as a whole. There are no material considerations of sufficient weight that would indicate the decision should be made other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

F Wilkinson

INSPECTOR

¹ 126 (likely address), 152-154, 160 and 166 Upper Tooting Road