



---

## Appeal Decision

Site visit made on 21 June 2024

**by N Perrins BSc (Hons), MSc, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 08 August 2024**

---

**Appeal Ref: APP/L5240/Z/24/3342060**

**5 Russell Parade, Russell Road, Purley CR8 2LE**

- 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 B Mahmood against the decision of London Borough of Croydon.
  - The application Ref: is 23/04169/FUL.
  - The development proposed is a new shopfront including external shutter.
- 

### Decision

1. The appeal is dismissed insofar as it relates to the external shutter. The appeal is allowed insofar as it relates to the proposed new shopfront and planning permission is granted for a new shopfront at 5 Russell Parade, Russell Road, Purley CR8 2LE in accordance with the terms of the application, ref: 23/04169/FUL, dated 31 October 2023, and the plans submitted with it so far as relevant to that part of the development hereby permitted and subject to the following conditions:
  - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
  - 2) The development hereby permitted shall be carried out in strict accordance with the following list of approved plans in so far as they relate to the proposed shopfront: (i) Site Location Plan, (ii) Existing and Proposed Ground Floor Plan, Front Elevation REF.NO:RLP5/23/01, and (iii) Proposed Site Plan and Shop Front Detail REF.NO:RLP5/23/02. For the avoidance of doubt, planning permission is not granted for the security shutter shown on the proposed ground floor plan on Plan Ref.NO:RLP5/23/01, on the section drawing on Plan Ref.NO:RLP5/23/02 and Proposed Front Elevations Plan Ref.NO:RLP5/23/03.
  - 3) Unless stated on the approved drawings, all new external work and work of making good shall be carried out in materials to match the existing building.

### Preliminary Matter

2. I saw at my site visit that the front entrance of the appeal property has been altered, but the development carried out does not accord with the plans submitted with this appeal. I have, therefore, assessed the appeal based on the proposed plans before me. Any regularisation that is required with regard to the situation at the site is not a matter for me to consider in this appeal.

## **Main Issue**

3. The main issue is the effect of the proposal on the character and appearance of the area.

## **Reasons**

4. The appeal building is part of a parade of mainly three-storey terraced properties with commercial uses at ground floor. The parade has a variety of shopfronts and security features. The appeal site as shown on the submitted plans had a recessed front entrance, which has been moved forward to bring it in line with the rest of the unit's frontage.
5. The appeal proposal would further alter the front entrance by creating a larger doorway along with bringing it forward in line with the rest of the frontage. A security shutter is proposed along the full width of the proposed shopfront.
6. The retail parade including the appeal site is not subject to any heritage or other environmental designations. It has a character that is reflective of its status as a secondary retail frontage within the Primary Shopping Area of Purley District Centre. There are a range of occupiers within the secondary retail frontage and a very varied shopfront character at ground floor in terms of designs, materials and appearance. Furthermore, a key characteristic of the terrace where the appeal site is located is that, whilst there is a variety of designs at ground floor level, the upper levels have a consistent and high quality character in terms of design and appearance.
7. With regard to the proposed new shopfront, the Council identify that the property is one of two central projections within the parade that benefit from decorative rooftop parapets. I agree that these projections contribute positively to the character of the area, particularly above ground level. No alterations are proposed to any part of the building and its forward projection above ground floor. Accordingly, I do not find that the proposed minor alterations at ground floor level would have any adverse impacts on the enduring quality of the projection above ground level.
8. At ground floor level, the Council contends that the proposal would be out of character with the corresponding projection at the nearby public house as well as Nos 1 and 2 Russell Parade, which retain setbacks. However, the vast majority of shopfronts along the parade do not have setbacks, which means that the proposed shopfront is consistent with the prevailing form of frontages in the area. The Council has also not provided any evidence as to why it is important for the character of the area for the few remaining setbacks to be maintained. In view of this and the overall context along the parade that includes a variety of shopfront layouts and styles, I find that the proposed shopfront alteration to remove the setback would not materially harm the character and appearance of the area.
9. With regard to the proposed external shutter, Policy D11 of the Croydon Local Plan 2018 (CLP) states that new shopfronts will be supported on shopping parades that do not include wholly solid or perforated / pinhole external shutters. The supporting Shopfronts and Signs Supplementary Planning Guidance No.1 (1996) (SPG) is consistent with Policy D11 in that it identifies that security shutters can have a deadening effect on the character of the

shopping street. The SPG advises that where security is an issue an 'open design' may be acceptable.

10. In this case, the appeal building is part of a three-storey terrace with an attractive and characterful appearance of its upper storeys that contributes positively to the character and appearance of the area. The introduction of a security shutter on the appeal unit, which is one of the wider units along the parade, would when down introduce a blank and dead frontage that would jar and detract from the quality of the building's upper floors. Moreover, this would introduce a stark change to the character of the ground floor along the parade where the other units predominantly retain open frontages that help contribute to an overall vibrant and visually interesting run of shops. The proposed security shutter would, therefore, clearly not accord with Policy D11 of the CLP.
11. I have considered carefully the appellant's stated need and rationale for additional security. However, the evidence presented of security issues would appear to relate to when the unit was vacant rather than conclusively demonstrating it is an ongoing problem affecting the property that would justify the harm I have identified.
12. I have also considered the examples highlighted by the appellant of existing security shutters in the vicinity of the appeal site. With regard to the examples that exist along Russell Hill Parade, I note that these are on properties with smaller frontages than the appeal site and therefore they have less visual impact on their upper floors than the appeal proposal would. The other examples provided are from units in the wider area along the nearby Brighton Road. I observed on my site inspection that there is a wider variety of upper floor designs on Brighton Road than on Russell Parade and, therefore, a different character context that is not directly comparable to the appeal site. Moreover, Brighton Road is also a longer shopping parade with the vast majority of units having open frontages that helps to absorb and reduce the overall visual impact of the few units that do have shutters.
13. Accordingly, I am not persuaded from the information before me that the purported security concerns, or examples of shutters elsewhere, outweigh the harm I have identified arising in this case from the clear conflict with Policy D11 of the CLP.
14. To conclude, the new shopfront would be consistent with the prevailing character and appearance of the area in accordance with the requirements of Policy D3 of the London Plan 2021 and Policies SP4, DM10 and DM11 of the CLP, which amongst other things require development to provide active frontages, be of a high quality design that respects and enhances Croydon's varied local character, and for shopfronts to be attractive and secure respecting the scale, character, materials and features of the buildings of which they form part. The new shopfront would also be consistent with the guidance contained within the Council's SPG.
15. However, the proposed security shutter would appear as an incongruous and discordant addition that would harm the design quality of the appeal building, and how the predominantly open shop fronts along Russell Hill Parade positively relate with the upper floors along the terrace. This would be contrary to Policy D11 of the CLP and the guidance within the SPG. I find that the material considerations presented in response do not outweigh the harm I have

identified from the proposed shutter and the conflict with the development plan.

16. As the proposed new shopfront could be constructed separately from the security shutter part of the proposal, I conclude that a split decision is appropriate in this case and grant planning permission for the proposed new shopfront subject to conditions, which are discussed in the following section. Planning permission is refused for the security shutter part of the proposal.

### **Conditions**

17. I have considered the draft conditions submitted by the Council against the advice in the Framework, the Planning Practice Guidance and in the interests of precision and enforceability I have amended the proposed conditions where appropriate. I also consider that the standard time limit condition is necessary to add in this case as the development as shown on the plans has not been implemented.
18. The proposed plans condition is necessary to ensure clarity as to what is approved. I have amended the Council's wording slightly to make the wording more precise, as well as to include all relevant plans that have been approved. I have also included a reference in the condition to make clear, for the avoidance of doubt, that the security shutter as shown on the approved plans is not granted planning permission. The materials condition is necessary to ensure the proposal safeguards the character of the existing building and overall area.

### **Conclusion**

19. For the reasons given above, and taking account of all material considerations, I conclude that a split decision is appropriate with the proposed new shopfront allowed and the external shutter dismissed.

*N Perrins*

INSPECTOR