

Appeal Decision

Site visit made on 25 November 2024

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 19 December 2024

Appeal Ref: APP/Q3820/W/24/3350376

1 High Street, Crawley RH10 1BH

- 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 Abdullah Kaia, Kaia Barbers against the decision of Crawley Borough Council.
 - The application Ref CR/2024/0214/FUL, dated 5 May 2024, was refused by notice dated 26 July 2024.
 - The development proposed is the creation of a new shopfront including installation of roller shutters, new windows and doors.
-

Decisions

1. The appeal is dismissed in respect of the installation of the roller shutters.
2. The appeal is allowed and permission is granted for the creation of a new shopfront including new windows and doors at No 1 High Street, Crawley RH10 1BH, in accordance with the terms of the application, Ref CR/2024/0214/FUL, dated 5 May 2024, subject to the following condition:

With the exception of the roller shutters, the development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Front & Side Elevations (Glazing Elevations) WPD3124/A/12 Rev A.

Main Issue

3. The main issue is the effect of the new shopfront and shutters on the character and appearance of the street scene.

Reasons

4. The application seeks retrospective permission for the installation of a new shopfront and roller shutters at No 1 High Street, a barber shop operating from ground floor premises on the corner of Station Way. The site lies just outside the main town centre and is not within either a primary or secondary shopping frontage as defined by the Crawley Local Plan 2024 (the CLP). Nevertheless, the premises lie at one end of a row of four shop units with some restaurant uses opposite and thus forms part of a mixed use, semi-commercial area, part of a busy traffic gyratory. The area has no particular character, lying between the High Street Conservation Area (CA) to the north and the Brighton Road CA to the south with no listed or locally listed buildings in the section of street concerned.
5. As the photos supplied by the Council demonstrate, the previous shop front (which turned the corner into Station Way) had traditional timber framed

windows with semi-circular shaped tops and a corner door, all with decorated stained-glass panels above. The shop front was undoubtedly attractive and had retained its original character notwithstanding a utilitarian modern fascia fixed above. However, the Council do not supply any details as to its origins or history, the building was not listed or locally listed and there is no evidence that the importance of the shopfront was previously recognised in any way. In addition, there is no information from the parties as to the fate of the shopfront or whether it could be put back or restored in any meaningful way. In the circumstances the loss of this example of a traditional shopfront is regrettable but, in the absence of listing or other statutory protection, it does not follow that once lost it is essential that it should be reinstated.

6. In this case the three adjacent shopfronts have no particular character, all being modern and utilitarian designs with large metal frame plate glass windows and doors. The Taj Mahal restaurant opposite has a similar modern shopfront with large plate glass windows¹. In this context the new shopfront at No 1 does not appear discordant or out of place, it simply reflects the design standard of the others in the vicinity.
7. The second element of the scheme is the installation of externally mounted grey metal roller shutters which can be lowered over the windows and door outside opening hours for security purposes. The appellant states that the shopfront was subject to a number of acts of vandalism and photos of broken windows illustrate this. As a corner building it may be particularly vulnerable. Whilst there appear to be few if any external shutters on nearby premises, the Council seem to acknowledge the need for improved security². However, the shutters as installed are the solid, non-see through type that completely obscure the shopfront giving an unpleasant deadening appearance when in use. This type are specifically resisted by paragraphs 3.78 and 3.79 of the Council's Urban Design Guide SPD. Given the significant visual harm caused by the shutters in this prominent location the guidance should be followed.

Conclusion

8. For these reasons the new shopfront does not adversely affect the character and appearance of the street scene but the roller shutters when closed cause significant harm. The shopfront thus complies but the roller shutters conflict with CLP Policies CL2 and DD1. These require development to respect, protect, build upon and enhance the positive aspects of existing character, complementing the existing setting and character of the area.
9. A split decision is therefore possible and on consulting the parties the appellant confirmed that the shutters could be removed if necessary, albeit at considerable expense. The split decision is contingent on this confirmation.
10. Having regard to the above the appeal in relation to the roller shutters should be dismissed and the appeal in relation to the shopfront should be allowed.

David Reed

INSPECTOR

¹ The Mo Lin restaurant opposite occupies part of a modern building so a modern shopfront is to be expected.

² Officer report page 5 'Security'