The Planning Inspectorate

Appeal Decision

Site visit made on 24 April 2017

by Iwan Lloyd BA BTP MRTPI

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

Decision date: 22.05.2017

Appeal Ref: APP/W4705/W/16/3165173
912-914 Leeds Road, Bradford BD3 8EZ

- 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 Sonia Kanda against the decision of City of Bradford Metropolitan District Council.
- The application Ref 16/06587/FUL, dated 3/08/2016, was refused by notice dated 17/11/2016.
- The development proposed is retrospective application for external shutters to retail units.

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the external shutters on the character and appearance of the building and the street scene.

Reasons

3. The appeal site is a recent commercial building comprising three retail shops situated alongside other commercial businesses on Leeds Road. Leeds Road is a main thoroughfare into Bradford and comprises a mix of terrace buildings predominantly in commercial use with narrow frontages and others with wide frontages. To the north-west of the site are residential properties set-back from the road, and to the south-west a retail warehouse which is also set-back from the terrace frontage with parking in front.

4. Planning permission was granted for the appeal building in 2011 for three retail units and three apartments above. The Council indicates that planning conditions were imposed on that permission to require the written approval of security shutter details prior to commencement of development. It is reported that those details were not submitted and that the roller shutters were installed. The appeal building is a relatively modern infill utilising traditional stone, with two equal sized shopfronts and one larger frontage at the end with a wrap-around shop frontage onto a cul-de-sac road. The smaller units have installed outward projecting and deep signage which hides the shutter box housing of the roller shutter. It is proposed to match that treatment with the larger end unit.

5. The appellant claims that the proposal would merely maintain the existing shutter which was approved and would replicate the signage depth and design

of the adjoining units. However, this is not a matter I can conclusively determine under a section 78 appeal, and a planning application/appeal has been submitted which incorporates all three units for retrospective approval for external shutters.

6. I have been referred to the Council's Supplementary Planning Document (SPD) 'A Shopkeepers Guide to Securing Their Premises' adopted in 2012. This publication sets out a strong presumption against external shutters and promotes internal installations and shop frame strengthening. Saved Policy D1 of the Replacement Unitary Development Plan for the Bradford District (RUDP) seeks to ensure that all development should make a positive contribution to the environment through high quality design and be well related to the existing character of the locality in terms of design and materials. Saved Policy UR3 seeks to ensure that development would not adversely affect the surrounding environment. Saved Policy D11 defines corridors as gateway roads whereby development alongside these routes should be of the highest possible standard of design. Leeds Road is reported to be a designated gateway road in the RUDP.

7. The appeal building has a simple unified design. The purposeful design approach in splitting the façade into three shop fronts with the larger unit at the end wrapping around the street corner has broken-up the block. In my view, the overtly large signage designed to hide the box shutter housing creates a visual over emphasis diluting the building's simple unified design. Whilst the external shutters were up during my visit, I would envisage that when closed the shutters would result in large areas of dead-frontage within this block.

8. I consider that the external shutters would dilute the simple designed appearance of the building and would result in large areas of dead frontage within this block. The development would therefore harm the appearance of the building contrary to the fore-mentioned policies and SPD.

9. Turning to the effect on the street scene. I saw a number of external shutters installed along this road, although I am advised by the Council that they pre-date the publication of the SPD. Given that other shutters may by now be lawful and that this appeal premises was regulated to require approval from the Council in relation to the installation of external shutters, the clear policy approach is to presume against similar new development in a gateway road location. Whilst existing shutters are material to the consideration of this appeal, in my view, the clear policy steer in the SPD carries more weight than the examples of existing external shutters in the surrounding area. In addition, they do serve to demonstrate their adverse impact on the street scene, and to continue with that approach would undermine the adopted policy in the area.

10. The appellant has referred to several incidents of damage and break-ins, anti-social behaviour and that insurance is now being refused unless external shutters are installed. The Council indicates that the policy approach in the SPD is endorsed by the police force of the area and notes that practical measures can be deployed to reduce incidents of crime. I note the issue of insurance being refused but no documentary evidence has been provided to show that all insurance companies have taken this approach in this area.

11. I therefore conclude that the external shutters harm the character and appearance of the building and the street scene. The development conflicts with RUDP Policies D1, D11 and UR3 and the Council's SPD.

12. The planning balance is against allowing this appeal.

Iwan Lloyd

INSPECTOR