



Appeal Decision

Site visit made on 20 August 2019

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th September 2019

Appeal Ref: APP/K0235/Z/19/3229320

10 Lime Street, Bedford, Bedfordshire MK40 1LD

- 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 Fabio Moliterno against the decision of Bedford Borough Council.
 - The application Ref 18/03153/S73A, dated 13 December 2018, was refused by notice dated 8 March 2019.
 - The development proposed is described as the front of the property, the sign area, we have covered with tiles, next door has the same, photos attached.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The development has already taken place. I am therefore considering this appeal as a retrospective proposal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building, a non-designated heritage asset, and whether or not the proposal would preserve or enhance the character or appearance of the Bedford Conservation Area (CA).

Reasons

4. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay special attention to the desirability of preserving and enhancing the character or appearance of Conservation Areas (CA). Policies BE9 and BE11 of the Bedford Borough Local Plan 2002 (LP) and Policy CP23 of the Bedford Borough Council Development Plan Document - Core Strategy and Rural Issues Plan 2008 (CS) also seek to protect and enhance the character of CAs within the Borough.
5. The appeal property is a ground floor commercial premises located within a pedestrianised street to the west of the town centre and in the heart of the CA. The host building is a C19 three storey rendered building with traditional timber sash windows to the upper floors and a shop front at ground floor. The Council identify the building as a non-designated heritage asset that prior to the appeal

alterations made a positive contribution to the character and appearance of the CA. On the evidence that is before me, I do not disagree with this view.

6. From the photographs provided by the appellant, I can see that the previous shop front was of a traditional style with the traditional pilasters, stall riser, sill and window detailing intact, albeit combined with uPVC signage. It would appear from these photographs that the traditional sloped fascia, cornice and corbels that are present on the adjoining shopfront were not present on the appeal property prior to the appeal development taking place. Nevertheless, it was possible to appreciate the traditional features and proportions of the shopfront and in the context of the neighbouring properties it made a positive contribution to the character and appearance of the CA.
7. During my site visit, I noted that there were some shop fronts which were insensitive to the character and appearance of the CA. However, mixed within these relatively poor developments, and in very close proximity to the appeal property, were some very good examples of restored traditional shop fronts that contributed positively to the character and appearance of the CA. In addition, as previously set out, the shop front that adjoins the appeal property retains much of its original features.
8. The development carried out at the appeal property involves the cladding of the shop front with slate briquette style tiles. Whilst I appreciate that slate is a traditional roofing material in the context of the C19 buildings, it is not a material, particularly in the modern briquette style, that is associated with a traditional shopfront in this area. More importantly, the cladding covers the traditional detailing of the shop front creating one continuous and featureless façade, unacceptably jarring with the overall character and style of the host building and the CA as a whole. In this regard, I find conflict with the requirements of Policy BE30 of the LP which, amongst other things, requires the visual impact of development to be considered within the context of its surroundings.
9. Given the above, I find that the development fails to preserve or enhance the character and appearance of the CA and that harm has been caused to the designated heritage asset in design terms. Taking into account Paragraph 196 of the National Planning Policy Framework (the Framework), the harm caused to the CA is less than substantial. Such harm must be weighed against any public benefits identified. Neither of the main parties has identified any public benefits associated with the development and there are none that I can identify. Consequently, there are no benefits that would outweigh the harm I have identified.
10. For the above reasons, I conclude that the development has harmed both the non-designated heritage asset and the CA. It fails to comply with the design and conservation requirements of Policies BE9, BE11 and BE30 of the LP; Policy CP23 of the CS and the Framework.

Other Matters

11. The appellant references the fact that he was unaware that consent was required for the alterations made to the building. Whilst I do appreciate that this may be the case, such matters do not outweigh my conclusion on the main issue.

Conclusion

12. For the reasons outlined above, and taking into account all other matters raised, I conclude the appeal should be dismissed.

Julie Hunter

INSPECTOR