



Appeal Decision

Site visit made on 14 December 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal Ref: APP/W4705/W/20/3259728

182 Heaton Road, Bradford BD9 4RJ

- 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 Q Hussain against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/02060/FUL, dated 4 June 2020, was refused by notice dated 11 August 2020.
 - The development proposed is retrospective planning application for replacement of existing shop front and roller shutters.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal has been submitted retrospectively and I have considered it on that basis.

Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of the North Park Road Conservation Area (CA), and the setting of Manningham Mills, a listed building.

Reasons

4. The CA is dominated by the ornate Italianate mass of the grade II* listed Manningham Mills and its campanile chimney, albeit it is mostly the façade that remains intact. According to the North Park Road Conservation Area Appraisal (2007) some of the other important features and details that contribute to the essential character and significance of the area are its terraced housing, traditional architectural detailing, natural materials and some traditional shopfronts. However, the appraisal warns that modern and inappropriately altered shopfronts are common and are detracting from the street scene, especially on Oak Lane, Victor Street and Victor Road. From my own observations, I agree.
5. The appeal site is a ground floor shop premises located at the end of a distinctive Victorian terrace opposite Manningham Mills. It occupies a highly prominent corner position with frontages onto Victor Road and Heaton Road, and is identified in the aforementioned appraisal as a key unlisted building and is also on a key view down Victor Road. Thus, it is an important element of the CA and contributes to the setting of Manningham Mills.

6. Policy DS3 of Bradford's Core Strategy Development Plan Document 2017 (CS) provides detailed criteria on design. In particular, criterion B requires that proposals should retain existing built features which contribute to creating distinctive identity; and criterion I requires shopfront design to be consistent with the character, scale quality and materials of the existing façade. Policies EN3 and SC1 require proposals to conserve, and where appropriate, enhance the heritage significance and setting of Bradford's heritage assets.
7. The Council has produced a Shopfront Design Guide Supplementary Planning Document (SPD) which aims to improve the design of shopfronts whenever the opportunity arises. Specifically, Design Principle 1 requires that where traditional details are evident they should be retained. Design Principle 2 requires alterations to existing shopfronts to use materials appropriate to the building and to incorporate the key elements of shopfront design. I afford the SPD significant weight due to its role in supporting the relevant development plan policies and its consistency with the National Planning Policy Framework (the Framework).
8. The appellant states that the original shopfront was replaced in 1992. Even so, on the evidence before me the previous shopfront was timber-framed and with traditional elements, including panelled stall risers, pilasters and decorative corbels, such that it was appropriate to the period and style of the building and its historic context.
9. The proposal is a complete replacement shopfront using powder-coated aluminium frames and fascias. All timber panelling and features have been removed with painted render introduced below the windows in place of the stall risers.
10. The loss of all of the traditional shopfront elements and materials is not in accordance with the retention aims of the SPD and CS Policy DS3, and has resulted in the loss of an important element of the building's contribution to the CA. Moreover, the overtly modern design and materials in the replacement shopfront, combined with solid roller shutters, does not complement the period and style of the building or make a positive contribution to the street scene, notwithstanding the preponderance of unsympathetic shopfronts within the area. Rather, the development further reinforces the negative aspects which are identified in the CA appraisal as detracting from the street scene and which erode the essential character of the CA.
11. For these reasons, I find that the development has an adverse effect on the façade of the key unlisted building and on the street scene of Victor Road and Heaton Road. Consequently, the development neither preserves nor enhances the character or appearance of the CA and harms the immediate setting of Manningham Mills, thereby causing loss of significance to these designated heritage assets. This is contrary to CS Policies DS3, EN3 and SC1, and the objectives of the Council's Shopfront SPD.
12. In the language of the Framework, this harm to heritage assets would be less than substantial. Nevertheless, heritage assets are irreplaceable and great weight should be given to their conservation. Any harm to, or loss of, the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification.

13. I have had regard to the use of the premises as a food handling establishment. However, there is no evidence before me that the shopfront was beyond repair and restoration. Widening the doorway to achieve accessibility compliance is beneficial, but could be similarly achieved through more proportionate and appropriately designed shopfront alterations. I also recognise the desire for security at the premises, but I note from the West Yorkshire Police comments that less obtrusive brick bond or lattice style shutters that let in light and surveillance, together with other security measures are preferred. Indeed, such shutters were annotated on the drawings for a previous planning permission at the site. Therefore, as set out in paragraph 196 of the Framework, there are no public benefits that outweigh the less than substantial harm in this case.

Conclusion

14. For the reasons given, I conclude that the proposal is contrary to the relevant identified policies of the development plan, and the Framework, and therefore the appeal should be dismissed.

A Caines

INSPECTOR