

# Appeal Decision

Site Visit made on 13 January 2021 by Gareth Sibley MPLAN MRTPI

**Decision by Chris Preston BA (Hons) BPI MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 12 February 2021**

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**Appeal Ref: APP/K0235/Z/20/3259334**

**29 Bedford Road, Great Barford MK44 3JF**

- 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 Ali Capar against the decision of Bedford Borough Council.
  - The application Ref: 20/00570/S73A, dated 6 March 2020, was refused by notice dated 19 June 2020.
  - The development proposed is retrospective application for a shutter to shop.
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## Decision

1. The appeal is allowed and planning permission is granted for a shutter to shop at 29 Bedford Road, Great Barford MK44 3JF in accordance with the terms of the application, Ref: 20/00570/S73A, dated 6 March 2020 and the plans submitted with it.

## Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

## Procedural Matter

3. The roller shutter has already been installed and as a result the application and appeal were made retrospectively.
4. I have removed the term 'retrospective application for' from the description of development because it is not an act of development.

## Main Issue

5. The effect of the development upon the character and appearance of the street scene.

## Reasons for the Recommendation

6. The site is located on Bedford Road which is the main thoroughfare through Great Barford. The development around the site is typically residential dwellings set back from the roadside behind gardens or driveways. The buildings themselves vary in appearance but are generally two storeys tall and are typically constructed from exposed facing brick or covered by render.
7. No.29 is a one and a half storey building that has been painted white which has been built up against the roadside and has large areas of glazing on the front elevation of the building. It also has three asymmetrical triangular parapets

fronting a pitched roof. There are advertisement signs above the entrance to each shop that operates out of the building. The appearance of the building is clearly commercial in nature and its outward design and industrial scale set it apart from the prevailing pattern of residential development.

8. The roller shutter box has been installed below the signage above the entrance to the central shop and is black in colour which integrates well with the colour scheme of the signage and does not stand out when looking directly at the building. Furthermore, the width is not unduly large, and the shutter does not cut across the projecting brick arch which is a feature to the front of the building. Although the box extends out front the front elevation of the building the projection is marginal and not prominent, given the colour scheme and modest scale.
9. The roller shutters are solid grey metal and when closed would cover the ground floor door and windows of the central shop. Due to the commercial, somewhat industrial, appearance of the building, roller shutter doors do not appear out of character. The grey shutters would not stand out and would complement the white painted front elevation of the building. The roller shutter only covers the central entrance to the building, with the larger glazed doors and windows either side of this left uncovered. As a result, the roller shutter only occupies a small section of this front elevation.
10. The roller shutter would only be closed during the evening when the shop is closed and given the use of the shop as a supermarket, the building operates later than a typical commercial premises. Because of this, the roller shutter would usually be closed in the evening and opened early in the morning. Whilst that would result in a 'dead frontage' during the late evening and night-time period, the property is not part of a vibrant commercial street and closing off the frontage would not unduly impact on the character of the area, particularly having regard to the character of the existing building.
11. Therefore, although roller shutter doors can often appear out of character on retail frontages, the development is appropriate in this instance given the commercial appearance of the building and the specific design of the scheme. Consequently, the development does not harm the character and appearance of the street scene and accords with Policy 29 of the Bedford Borough Local Plan 2030 (adopted 2020) (LP) which states that development should respect the context within which it will sit and the opportunities to enhance the character and quality of the area and local distinctiveness. The proposal also complies with Policy 30 of the LP which identifies a number of good design principles including the need for development to consider the relationship of the development within the context in which it is placed.
12. The proposal would be contrary to the advice contained within the Shopfronts and Advertisements in Conservation Area Supplementary Planning Document (adopted 2005) (SPD) although the guidance contained within the SPD relates primarily to sites in Conservation Areas and busy commercial areas with an evening economy. In any event, it represents guidance as opposed to statutory policy and I am satisfied that the proposal is acceptable having regard to its context.

### **Other Matters**

13. It is noted that the other village shop does not have roller shutter doors. However, the appearance of that building is notably more rural in character and the absence of a shutter in that location does not alter my conclusion that the proposal is acceptable in this case. Similarly, because my conclusion relates to the specific character of the building in question, I see no reason why it would set a precedent for development in other locations where the design and appearance of the buildings in question will be different.
14. Given that I have found no harm to the character and appearance of the area I have not found it necessary to consider in detail the need for the roller shutter.

### **Conditions**

15. The development has already been completed, as such, it is not necessary to include the statutory commencement condition or a condition requiring the development be carried out in accordance with the approved plans. It is also not necessary to require a condition to identify the external materials that should be used for the same reason. As such, no conditions are necessary to make the development acceptable in planning terms.

### **Conclusion and Recommendation**

16. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

*G Sibley*

APPEAL PLANNING OFFICER

### **Inspector's Decision**

17. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be allowed.

*Chris Preston*

INSPECTOR