



Appeal Decision

Site visit made on 31 October 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 14 November 2023

Appeal Ref: APP/W4705/Z/23/3328180

Food Master, Leeds Road, Shipley BD18 1DZ

- 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 Azhy Othman of Food Master against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 23/01704/FUL, dated 4 May 2023, was refused by notice dated 18 July 2023.
 - The development proposed is installation of roller shutters to the front elevation and part of north-eastern elevation.
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Decision

1. The appeal is allowed, and planning permission is granted for proposed installation of roller shutters to the front elevation and part of north-eastern elevation at Food Master, Leeds Road, Shipley BD18 1DZ, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 'Site location plan' Drawing no. FMS/PP/01, 'Proposed block plan' Drawing no. FMS/PP/02, 'Proposed GF plan' Drawing no. FMS/PP/03, 'Existing and proposed elevations' Drawing no. FMS/PP/05.

Preliminary Matters

2. The shutters had been installed at the time of my site visit and as such the application is retrospective. I have, however, removed the term 'retrospective' from the description in the banner heading above, as this is not an act of development.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is in a detached, two-storey, short row of shops, described by the Council as being within the Leeds Road Local Centre. It is sited between residential properties on one side and a business premises and car park on the other. The shops are set well back from the adjacent road, the A657, with a forecourt and a lay-by for parking to the front. On the opposite side of the road there is a wide grass verge with street trees, in front of semi-detached, traditional, stone-built dwellings.
5. The Council's Supplementary Planning Document (SPD), A Shopkeepers Guide to Securing their Premises, 2012, provides guidance on shop security

measures, including shutters. Design Principle 2 of the SPD states that there will be a strong presumption against the provision of external roller shutters, bare metal roller shutters and external shutter boxes to the principal elevation of all shop fronts. It also advises that there is a balance between ensuring shops are safe and secure, whilst also ensuring that there is not a detrimental visual impact upon the appearance of the building and surrounding streetscene.

6. Food Master, as well as the adjacent convenience store and Post Office, have extensive advertising and covering of the windows to the front of the shops. This, combined with red and yellow signage on the fascia board of all the shops in this row, already creates a bold appearance. Whilst the shutters were open at the time of my visit, the box for the shutters, as well as the vertical supports at the front, were visible. I viewed the box and side profile further along Leeds Road which demonstrated that it did not extend beyond the height of the existing fascia sign and did not protrude beyond the existing shop frontage. Consequently, it did not appear obtrusive in this location.
7. Attached to the premises are high metal gates and fencing, also found on the opposite side of the row of shops. Furthermore, this is adjacent to green metal fencing on the adjoining business premises. Therefore, the local environment, despite the residential properties adjacent to and opposite the site, is already urban in character, with security measures in place in this location.
8. Whilst the proposal has not demonstrated that the appellant's have fully considered the use of internal security measures as required by Design Principle 1 of the SPD, they have stated that shutters are required to ensure that the business would continue to operate in this area. Whilst I can appreciate that the Council is trying to prevent shutters creating a perception of an unsafe environment and that they can be used as a background for graffiti, I saw no evidence of graffiti in the vicinity of the site and no substantive evidence has been provided that this would be likely in this location. Furthermore, the site is on a busy road with constant traffic. It is well lit, and it is within an area of numerous residential properties, whose occupiers are likely to be using the convenience store and appeal site. Therefore, for these reasons, it is unlikely that the addition of the shutters would create the perception of an unsafe environment.
9. Reference has been made by both parties to the roller shutters used on a row of shops referred to as at West Royd Avenue Junction, a short distance from the appeal site. I viewed these premises, where several businesses had roller shutters. Whilst I have not been provided with any evidence of the history of these, the Council has suggested that this is a more acceptable location for shutters. This is because there are several properties with them in this location, compared with the appeal site, which is the only premises with shutters in this row.
10. West Royd Avenue Junction is, however, only a short distance from the appeal site. Whilst the shutters at the appeal site would be red, which would be highly visible, one of the premises at West Royd Avenue has red shutters. Furthermore, red shutters in the context of the existing colours used on the Food Master store and its neighbours, including the red used on the fascia and window vinyl of the Post Office, would not be discordant. Therefore, I conclude that the shutters in this location do not appear unsightly and do not harm the character and appearance of the area.

11. The proposal therefore accords with Policies DS1 and DS3 of the City of Bradford Core Strategy Development Plan Document, 2017, which amongst other things seeks to achieve good quality design by taking a holistic approach with a good understanding of the site and its context. It would also accord with the SPD in achieving the balance between security and the effect on the visual appearance on the building and the surrounding area.

Conditions

12. As the shutters have been installed, there is no need for the standard implementation condition. However, a condition listing the plans is needed to provide certainty over what has been approved.

Conclusion

13. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

M J Francis

INSPECTOR