
Appeal Decisions

Site visit made on 17 March 2025

by **R Major BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 March 2025

Appeal A Ref: APP/W4705/Z/24/3354981

217 Otley Road, Bradford BD3 0JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sheraz Ahmed of Certi Vapez against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/02263/FUL.
 - The development proposed is removal of door and window at side and installation of panels, installation of new shopfront with external lighting (to front and side), a roller shutter and illuminated lettering.
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Appeal B Ref: APP/W4705/Z/25/3360922

217 Otley Road, Bradford BD3 0JF

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
 - The appeal is made by Mr Sheraz Ahmed of Certi Vapez against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/04310/ADV.
 - The advertisement proposed is 2 No. illuminated fascia signs and 1 No. projecting sign.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals are for related proposals on the same site. Appeal A concerns the refusal of planning permission for the installation of a new shop front. Appeal B concerns the refusal of express consent for the display of adverts on the premises. I have considered each appeal on its individual merits, however, as they raise similar issues, I have combined both decisions into a single decision letter.
4. Subsequent to the Council issuing its decision the revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The amendments to the Framework do not affect the matters that are in dispute in the determination of this appeal. Therefore, in this instance, it has not been necessary to consult the main parties on the amendments to the Framework.
5. I have removed the words '*Retrospective planning permission and advertisement consent for...*' from the description of Appeal A in the above banner heading as this does not form part of the development.

6. I observed on my site visit the proposals in respect of both Appeal A and Appeal B had been implemented. However, elements of what I observed on site differ to that shown on the proposed plans. The appellant has requested the appeal be determined on the basis of the details shown on the proposed plans and the Council made its decision against the proposed plans. I have dealt with the appeal on the same basis.
7. In respect of Appeal B, the Advertisements Regulations require that decisions are made only in the interest of amenity and public safety. Therefore, whilst I have taken into account the policies that the Council considers to be relevant, as well as the relevant paragraphs of the Framework, these have not been decisive in my determination of this appeal.

Main Issues

8. The main issue in respect of Appeal A is the effect of the development on the character and appearance of the area.
9. The main issue in respect of Appeal B is the effect of the development on visual amenity.

Appeal A Reasons

10. The appeal relates to a stone-built, three-storey, end terrace property, occupying a prominent corner location at the junction of Otley Road and Airedale Road. The surrounding area has a mixed character, consisting mainly of residential dwellings, although on the appeal site's side of Otley Road are a number of commercial properties. The appeal property itself is adjoined on both its Otley Road and Airedale Road frontages by commercial premises, with the other properties in this row appearing to be in residential use, except for the property at the opposite end of this terrace row which is a dental practice.
11. The appeal property has replaced its shop front and signage. The evidence before me indicates that the shop previously had display windows, and modest sized fascia signs, on both its Otley Road and Airedale Road frontages, with pedestrian access gained through a door on the Airedale Road elevation. The modest size of the previous openings and signage enabled large elements of the appeal building's traditional stone finish to be clearly visible at ground floor level.
12. Above the shop frontage facing Otley Road the appeal property has attractive semi-circular headed window openings in its first and second floor levels, with a gable fronted elevation facing onto this highway. These design features are replicated at the opposite end of this row, and this provides a visually pleasant symmetry to the Otley Road frontage. Whilst I note that front dormer extensions have been erected within some of the central properties in this row, overall, I find this terrace makes a positive contribution to the character and appearance of the street scene.
13. The previous shop frontages on both Otley Road and Airedale Road have been removed and replaced with a modern design that wraps around both elevations of the building. The entrance into the premises has been relocated to the Otley Road frontage and includes a centrally located glazed entrance door with full length glazed windows either side. To the side of these windows white panels, with yellow strips, have been added to the ground floor elevation of the building.
14. The previous openings in the Airedale Road elevation have also been replaced by white panels, again with yellow strips. These panels completely cover the ground floor

of the premises, except for the glazed door and window openings, and therefore obscure any views of the attractive stone finish at ground floor level on both frontages.

15. As a result of its modern design and appearance, including the introduction of the white panels, the replacement shop front visually dominates the host building and the terrace row. It represents a strident feature on the street scene and appears out of keeping with the traditional character and appearance of the host building and terrace row. I therefore find that the replacement shop front represents an incongruous feature which significantly detracts from the character and appearance of the area in this prominent location.
16. My attention has been drawn to the design and appearance of other shop fronts along Otley Road. Whilst each application is judged on its own merits, I have not been provided with full details, including the planning history, of these other shop frontages. Nevertheless, I did not observe that any of these other shop fronts had covered the ground floor frontage with panels in the way that the appeal scheme has, and I noted that a number of these other shop frontages in the wider area retained some of their traditional features, including pilasters and stallrisers. Moreover, these other properties do not occupy as visually prominent a location as the appeal site. As such, I find that the other shop fronts I observed along Otley Road do not set a precedent for the development that has taken place at the appeal site.
17. The appellant has stated that the former fenestration on the side elevation was blocked-up, and prior to the alterations the appeal property was poor quality and detracted from the character of the area. I have limited evidence before me that prior to the alterations taking place the appeal property detracted from the character of the area. Furthermore, I observed that several other end terrace properties had blocked-up openings in their side elevation, and I did not find these features to be as visually dominant or harmful to the character and appearance of the area as the appeal scheme.
18. In view of all the above, I conclude that the development detracts from the appearance of the appeal building and results in significant visual harm to the character and appearance of the terrace row within which it is located, and the surrounding area in general.
19. Consequently, the development is contrary to Policies DS1 and DS3 of the Local Plan for the Bradford District - Core Strategy Development Plan Document (2017) (CSDPD). These policies together require, among other things, that development proposals create attractive streetscapes and design shop front units which are consistent with the character, scale, quality and materials of the existing façade, building and street scene of which they form part; and that proposals should contribute towards achieving good design and high-quality places through putting the quality of places first and by being informed by a good understanding of the site/area and its context.

Appeal B Reasons

20. The Advertisement Regulations require that advertisements be subject to control only in the interests of amenity and public safety. The Council have not suggested the advertisements would affect public safety and from the evidence before me and my observations on site, I see no reason to disagree.

21. In respect of visual amenity, large fascia signs have been added to both elevations, illuminated by four external lights (two on each frontage). Above the fascia on Otley Road a projecting sign has also been installed adjacent to the first-floor windows.
22. From the evidence before me the replacement fascia signs are significantly larger than the previous signage that existed at the appeal property, as well as being larger than the signage I observed at the adjoining commercial properties, and the dental practice at the opposite end of this terrace row.
23. The fascia signs appear as bulky, disproportionate features which cause harm to visual amenity, and their visual harm and prominence is only exacerbated by the external lighting above. I note the appellant has suggested the lighting can be controlled through the imposition of planning conditions, however such conditions would not overcome the concerns I have in respect of the excessive size and prominence of these fascia signs.
24. The Council has commented that the installed projecting sign is larger than that shown on the proposed plan. The appellant has however requested that the development be determined in accordance with the submitted plans.
25. Nevertheless, whilst I observed on site that several commercial properties in the wider area have projecting signs at first floor level, including the adjacent Post Office, none were as long or as prominent as the projecting sign shown on the submitted plans. As such, I find that the design and size of the projecting sign shown on the proposed plans only adds further visual clutter and harm to visual amenity.
26. My attention has been drawn to other signage along Otley Road, however I have limited evidence before me in respect of the planning history of these signs. Additionally, whilst each application is judged on its own merits, other examples of signage I observed on corner properties did not extend around both the front and side elevations of the building to the extent that the signage at the appeal property does. Furthermore, I found that other signs in the area were not as visually dominant on the street scene as those on the appeal property, which occupies a prominent corner location. As such, I do not find that other signage I observed in this area is directly comparable to the signage proposed by this appeal.
27. For the reasons set out above, I conclude that the signs unacceptably harm the visual amenity of the area and therefore fail to accord with Policies DS1 and DS3 of the CSDPD which seek, among other things, to ensure design is informed by a good understanding of the site/area and its context. The advertisements are also contrary to the design aims of the Framework, which advises through paragraph 141 that the quality and character of places can suffer when advertisements are poorly sited and designed.

Planning Balance

28. The appellant contends that the external illumination increases highway safety and security. I have however been provided with no substantive evidence that highway safety and security have been improved by the appeal scheme.
29. It is stated that the scheme provides level access for users. Whilst this may be the case, no evidence has been provided to demonstrate that the previous access to the property did not provide level access, or that the appeal scheme is the only way to achieve level access into the property.

30. The appellant has also commented that removal of the shop front and signage would threaten the viability of the business, however very limited evidence has been provided in support of this claim.
31. I am aware that paragraph 85 of the Framework attributes significant weight on the need to support economic growth and productivity. I also acknowledge the appellant's comments that the property employs a number of individuals from the local area. Whilst these are benefits which weigh in favour of the appeal scheme, I am not convinced that the appeal scheme is the only way these benefits can be achieved.
32. Consequently, when taken together, I find that all the above-mentioned benefits do not outweigh the significant harm I have identified that the development has upon the character and appearance of the area.
33. In respect of Appeal B, the Regulations require that decisions are made only in the interest of amenity and public safety. As such, most of the proposed benefits put forward by the appellant cannot be taken into consideration in my decision for Appeal B. Nonetheless, even in a scenario whereby I was to accept that the external lighting has increased public safety through improvements to highway safety and security, the benefits derived from it would not overcome the harm I have identified to visual amenity.

Conclusion

34. In respect of Appeal A, I conclude that the development causes significant harm to the character and appearance of the area. It therefore conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
35. In respect of Appeal B, the advertisements unacceptably harm the visual amenity of the area.
36. For the reasons set out above, both Appeal A and Appeal B are dismissed.

R Major

INSPECTOR