



Appeal Decision

Site visit made on 12 August 2025

by **A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21 August 2025

Appeal Ref: APP/W4705/C/24/3346160

Unit 4, The Parkside Centre, 219 Keighley Road, Bradford BD9 4JR

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act").
 - The appeal is made by Mr Nurul Hussain against an enforcement notice ("EN") issued by the City of Bradford Metropolitan District Council.
 - The EN was issued on 2 May 2024.
 - The breach of planning control as alleged in the EN is: Without planning permission, the installation of an externally mounted roller shutter to the east facing (front) elevation of the building on the land, as shown on the attached photograph.
 - The requirements of the EN are to: Remove the unauthorised externally mounted roller shutter, shutter box and guide rails from the east facing (front) elevation of the building on the land.
 - The period for compliance with the requirement is: Twelve calendar months.
 - The appeal is proceeding on the ground set out in section 174(2)(a) of the 1990 Act. Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the 1990 Act.
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Decision

1. It is directed that the EN is corrected by:

- *the deletion of the words "...the installation of an externally mounted roller shutter to the east facing (front) elevation..." and their substitution with the words "...the installation of an externally mounted roller shutter, shutter box and guide rails to the east facing (front) elevation..." in 3.*

Subject to the correction, the appeal is dismissed, the EN is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Matter Concerning the Notice

2. The allegation identifies the breach of planning control as "...an externally mounted roller shutter...". However, within the steps to be taken, the allegation is described as "...an externally mounted roller shutter, shutter box and guide rails...". The wording of the allegation and the requirements should be consistent and therefore, I will correct the breach of planning control so that it refers to the same development. As the correction is for precision, I am satisfied that I can correct the EN without causing injustice to either party.

Preliminary Matter

3. A revised National Planning Policy Framework has been published since the EN was issued. However, it does not raise any new issues that are determinative to the purposes of the appeal and therefore injustice to the parties does not arise.

Appeal on Ground (a) and the Deemed Planning Permission

4. An appeal under ground (a) is that planning permission should be granted for the matters alleged. The **main issue** is the effect of the development on the character and appearance of the surrounding area.

Reasons

5. The appeal site comprises an end-of-terrace property forming part of a development of five purpose-built commercial units. The units are arranged in an L-shape consisting of a terrace of four units and one detached unit with a surface car park positioned between the units and the road. The development forms part of a local shopping centre that is surrounded by residential properties.
6. A solid roller shutter has been mounted to the external, front elevation of the property which, when closed, occupies the full extent of the property's windows and door to ground level. The solid roller shutter is green to match the colour of the sign and timber panelling to the side of the property's door. However, when closed, the solid roller shutter dominates the front elevation of the property and creates a bland, unwelcoming frontage that deadens and detracts from the character and appearance of the shop front and the surrounding area.
7. I acknowledge that the solid roller shutter has been in-situ for a period of time, however, this does not overcome the harm that I have identified.
8. The appellant has directed me to a similar roller shutter on a nearby commercial unit. However, I am unable to determine from the information before me, whether it is similar in appearance. Furthermore, its planning history is unclear. Even if the roller shutter was comparable in appearance, its location differs. Consequently, it is not directly comparable to the appeal scheme. In any event, I must determine each case on its individual merits.
9. I appreciate that the appellant wants to prevent vandalism and burglaries from occurring at the appeal property, and I acknowledge the number of crimes recorded in the surrounding area between December 2023 and April 2024. However, the information before me does not state the nature of each crime or whether the appeal site was affected. As such, it is unclear whether vandalism and burglaries were a particular issue affecting the appeal site.
10. Even if the appeal property was subjected to vandalism and burglaries, I have not been provided with information to demonstrate that the appellant has fully considered the use of other security measures preferable to the Council as detailed within the Supplementary Planning Document "*A Shopkeepers Guide to Securing their Premises*", adopted 2012, or why they would be unsuitable.
11. For these reasons, the development harms the character and appearance of the surrounding area. It conflicts with Policies DS1 and DS3 of the Core Strategy Development Plan Document, adopted 2017 which, amongst other things, seek to ensure that development proposals contribute to achieving good design and high quality places; and create a strong sense of place and be appropriate to their context.

Conclusion

12. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the EN with a correction and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act.

A Berry

INSPECTOR