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## Appeal Decisions

Site visit made on 19 December 2025

by **P Storey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 January 2026

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### **Appeal A Ref: APP/U2750/W/25/3374874**

#### **K.D. Local Shop, 53 Micklegate, Selby, North Yorkshire YO8 4EA**

- 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 Aras Maroufi against the decision of North Yorkshire Council.
  - The application Ref is ZG2025/0376/FUL.
  - The development proposed is described on the application form as: “Retention of advertising sign and graphics/vinyls and installation of security shutter (retrospective)”.
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### **Appeal B Ref: APP/U2750/H/25/3374873**

#### **K.D. Local Shop, 53 Micklegate, Selby, North Yorkshire YO8 4EA**

- 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 Aras Maroufi against the decision of North Yorkshire Council.
  - The application Ref is ZG2025/0322/ADV.
  - The advertisement proposed is described on the application form as “Shop frontage (see photographs)”.
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## **Decisions**

1. Appeal A and Appeal B are dismissed.

## **Preliminary Matters**

2. Appeals A and B both concern proposals at the same shop frontage. Appeal A relates to an application for planning permission for a security roller shutter, whilst Appeal B relates to an application for express consent for advertisements.
3. At the time of my visit, the security shutter and advertisements were in place in accordance with the details shown on the submitted plans. I have determined the appeals on that basis.
4. The appeal site lies within the Selby Town Conservation Area (the CA). In determining both appeals, I have had regard to the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the CA.

## **Background and Main Issues**

5. The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) (the 2007 Regulations), the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (the PPG)

all make clear that advertisements should be subject to control only in the interests of amenity and public safety.

6. Although Appeal A and Appeal B fall to be considered under different legislative regimes, the main issues based on the Council's reasons for refusal both raise closely related considerations in respect of their effect on the appearance of the shop frontage and the surrounding area.
7. In particular, the assessment of character and appearance for the purposes of Appeal A overlaps materially with the assessment of visual amenity in Appeal B, including in relation to the CA. I shall therefore consider these matters together, while applying the relevant statutory tests and policy considerations specific to each appeal.
8. The main issue in Appeal A is therefore whether the roller shutter has an acceptable effect on the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the CA.
9. The main issue in Appeal B is whether the advertisements are acceptable in terms of visual amenity, including whether they would preserve or enhance the character or appearance of the CA.

## **Reasons**

### *Site context*

10. The appeal site lies within the commercial core of Selby town centre, forming an important part of the CA. The appeal property retains a traditional timber shopfront, comprising a centrally positioned entrance door flanked by symmetrical shallow bay windows. Each of these windows is subdivided into twelve individual panes (three horizontal by four vertical) by timber glazing bars, providing a distinctive historic shopfront design.
11. The CA is designated for its special architectural and historic interest, reflecting Selby's growth as a historic market town focussed on the Market Place and Selby Abbey. In terms of these appeals, the CA's significance lies in the coherent scale, proportions and materials in its commercial streets, with the historic townscape retaining an abundance of traditional shop frontages. Even where later alterations have occurred, these have typically been accommodated in a manner that preserves the legibility and character of the traditional streetscape, reinforcing the CA's overall historic character and significance.

### *Appeal A*

12. The proposal is for an externally mounted shutter, including a shutter box and guide rails. This introduces a distinctly modern, utilitarian and functional structure fixed to the outside of the traditional shopfront. Its bulky appearance obscures elements of the upper shopfront, disrupts its established proportions, and undermines the visual hierarchy that characterises its traditional shopfront design. As such, it appears incongruous within the largely restrained and cohesive surrounding streetscape.
13. The appellant's assertion that the shutter would be largely concealed when not in use is not persuasive. Even when raised, the shutter box and guide rails remain permanently visible, resulting in a continuous and harmful visual presence. These

elements read as uncharacteristic utilitarian additions that compete with, rather than complement, the architectural detailing of the shopfront.

14. The appellant has argued that modern shopfront alterations elsewhere in the CA indicate a more permissive character. However, my site observations demonstrate that, notwithstanding some modernisation, there remains a notable absence of externally mounted shutter boxes and guide rails. Where security shutters are present, they are typically positioned internally behind the shopfront glazing, thereby limiting their visual impact. This pattern indicates that the proposed approach is not the only viable means of securing the premises, weakening the appellant's arguments on security grounds.
15. For these reasons, I conclude that the development represents an incongruous and utilitarian addition to a traditional shopfront and historic streetscape, resulting in harm to the character and appearance of the area. As such, the proposal also fails to preserve the character and appearance of the CA, resulting in harm to its significance.

### *Appeal B*

16. The Council has not raised a specific objection to the fascia sign. However, as it is affixed to the external shutter box, its effect cannot be viewed entirely separately from that structure. Its context is therefore relevant, and although no specific harm has been identified in relation to the fascia sign itself, this does not alter my earlier conclusions concerning the harm resulting from the shutter box.
17. The Council's concerns in respect of Appeal B relate to the proposed window vinyls. These are applied to the lower six panes of each shallow bay window, resulting in half of each traditionally glazed window being visually obscured. This introduces a solid and uncharacteristic element into a shopfront whose significance derives from its transparency, fine-grain glazing pattern and visual permeability. The solid, vivid graphics dominate the lower part of the façade and undermine the role of the timber glazing bars, which are intended to articulate the glazed frontage rather than frame a graphic surface.
18. The appellant's contention that the vinyls are limited in extent is not persuasive. Their cumulative effect would materially alter the proportions and appearance of the shopfront. This approach contrasts with the prevailing character of shopfronts in the CA, where glazing is typically retained to display goods behind the glass, or discretely obscured where inward views are undesirable, rather than treated as a solid advertising medium.
19. For these reasons, I conclude that the advertisements are harmful to the visual amenity of the area and detract from the character and appearance of the CA, thus failing to preserve its significance.

### *Heritage balance*

20. Both appeals raise closely related concerns, and neither proposal preserves or enhances the character or appearance of the CA. Although that harm is less than substantial, it is nevertheless of considerable importance and weight. In such circumstances, paragraph 215 of the Framework directs that such harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

21. The appellant has identified limited public benefits, primarily relating to commercial visibility and operational convenience. While these may offer some benefit to the individual occupier, they are largely private in nature and do not amount to public benefits of sufficient weight to outweigh the identified heritage harm. Claims that the proposals are necessary for the ongoing security and viability of the business are not supported by site-specific evidence, particularly in light of the presence of neighbouring businesses that continue to operate successfully without comparable installations. In these circumstances, the limited public benefits do not outweigh the harm to the significance of the CA.

### *Conclusion on main issues*

22. For the reasons set out under the main issues, I conclude that the Appeal A proposal results in harm to the character and appearance of the area, while the Appeal B proposal results in harm to visual amenity. Taken together, neither proposal would preserve or enhance the character or appearance of the CA, and there are insufficient public benefits to outweigh this harm.
23. The Appeal A proposal therefore conflicts with Policy ENV24 of the Selby District Local Plan Adoption Draft, Part 1 – General Policies, February 2005, and Policies SP18 and SP19 of the Selby District Core Strategy Local Plan, Adoption Version 22 October 2013. Collectively, these policies seek to achieve high quality design that has regard to local character, and to protect and enhance the historic environment. The proposal also conflicts with the relevant provisions of the Framework, which have similar aims.
24. In the case of Appeal B, the identified harm to visual amenity would result in conflict with the provisions of the 2007 Regulations. Whilst applications for express consent are not required to have regard to the development plan, these policies are nevertheless material considerations insofar as they relate to the matter of visual amenity. For the reasons already given, the Appeal B proposal would also be contrary to the cited policies of the development plan and the provisions of the Framework.

### **Conclusion**

25. For the reasons given above, I conclude that Appeal A and Appeal B should both be dismissed.

*P Storey*

INSPECTOR