



Appeal Decision

Site visit made on 14 February 2026

by **A U Ghafoor BSc (Hons) MA MRTPI FCI fCMgr**

an Inspector appointed by the Secretary of State

Decision date: 2nd March 2026

Appeal Ref: APP/K0235/C/24/3339115

91-93 High Street Bedford MK401NE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 (the “Act”).
 - The appeal is made by Mr Paresh Parmar against an enforcement notice issued by the Bedford Borough Council.
 - The enforcement notice was issued on 17 January 2024.
 - The breach of planning control as alleged is the installation of an aluminium shopfront and internally illuminated fascia sign.
 - The requirements of the enforcement notice are to 1) Remove all elements of the aluminium shop front between the left hand and right hand timber pilasters and reinstate the timber shopfront to match what was there previously in all regards in accordance with the plan shown in Appendix 1 2) Remove all parts of the internally illuminated fascia sign and reinstate a timber fascia to match the previous one in all regards, and 3) remove all materials and waste resulting from (i and ii) permanently from the site.
 - The period for compliance with the requirements is 6 months.
 - The appeal is proceeding on the grounds set out in section 174(2) (a), (f) and (g) of the Act.
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Decision

1. It is directed that the enforcement notice be varied by the deletion of the text “6 months” in section 6 subparagraph (i) to (iii), time for compliance, and the substitution therefor by the following text “9 months”. Subject to this variation, the appeal is dismissed, and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the Act.

Ground (a)

2. No. 91-93 is located within the Bedford Conservation area (CA). The **main issue** is whether the development preserves or enhances the character or appearance of the CA.
3. There are a mix of shopfronts however the significance of the CA is derived from the architectural style of buildings and, in part, from the traditional form, detailing and materials of its shopfronts. The design and scale of buildings and traditional shopfronts collectively contribute to the architectural coherence and historic character of the High Street.
4. In that context, no. 91-93 is a 19th Century, three-storey mid terrace gault brick building and its upper floors retain original features. The external appearance of the building makes a positive contribution. The ground floor is a commercial unit and while the previous shopfront was probably in need of an upgrade, it was constructed in timber and reflected traditional proportions including pilasters, a fascia, stall riser and console brackets. The matte effect aluminium shopfront incorporates similar proportions and detailing, and the general arrangement of the shopfront broadly reflects the previous configuration, and the aluminium finish is matte and non-reflective. However, I consider that the substitution of traditional timber with aluminium

materially alters the external appearance of the building. The type of material used in the shop front erodes and undermines authenticity of the frontage.

5. The argument is that the painted finish renders the material visually indistinguishable from timber. In this location, although proportion and detailing of shopfronts add to the character of the street scene, the use of timber reinforces the special architectural interest of the street scene. Compared to aluminium shopfronts, the authenticity of traditional timber emphasises the special historic interest of commercial units in the CA. I take the view that the extent and scale of the replacement shopfront at no. 91-93 causes visual harm. Contrary to the appellant's heritage statement, I find the substitution of aluminium for timber considerably erodes authenticity and introduces a modern intervention that does not positively respond to the significance of the heritage asset nor the host building's external appearance.
6. The argument is that the signage would have benefitted from deemed consent under the advertisement regulations. However, the internally illuminated fascia sign further reinforces the modern appearance of the frontage. Although illumination levels are below the Council's stated threshold, the presence of internal illumination is visually assertive within this part of the CA where there are examples of discreet signage, which add to architectural and historic interest of the CA.
7. The harm to the significance of the heritage asset, although serious and of considerable importance, is less than substantial in terms of paragraph 215 of the National Planning Policy Framework. The works have facilitated the occupation of a previously vacant unit, supporting vitality and viability within the town centre and providing employment opportunities. However, there is limited substantive evidence before me demonstrating that a timber shopfront would render the business unviable or that occupation could not have occurred with a more heritage-sensitive solution. I attach moderate weight to the economic and social benefits arising from alteration and subsequent use of the unit. Additionally, there is nothing before me to suggest the cost of compliance with the notice would adversely affect viability. and I attach limited weight to these arguments given the identified heritage harm.
8. Pulling all the above points together, I conclude that the development alleged fails to preserve or enhance the character or appearance of the CA. Accordingly, and contrary to the appellant's case, I find that the development conflicts with the Bedford Local Plan 2030 policies 28S (v), 29 (iii) (i) and 41S (iv), guidance found in section 16 to the NPPF, and advice found in Shopfronts & Advertisements in CAs Supplementary Planning Document (2005).

Ground (f)

9. The challenge is that the steps required by the notice are excessive, but I have already assessed the planning merits of the aluminium shop front. The notice requires the removal of the shop front between the left hand and right-hand timber pilasters and reinstate the timber shopfront to match what was there previously in all regards in accordance with the plan shown in Appendix 1 attached to the notice. It also requires the removal of the internally illuminated fascia sign and reinstate a timber fascia to match the previous one in all regards.
10. Contrary to the appellant's submissions, the purpose of the requirements is to remedy the breach by restoring the land to its condition before the breach occurred. Partial alteration to the aluminium shop front, or removing illumination to the advertisement, would not achieve that purpose. I do not consider any lesser steps, short of full compliance, would remedy the breach and the steps required are proportionate to achieve that objective. Ground (f) fails.

Ground (g)

11. The challenge relates to the period of compliance, and the argument is that 6 months is too short.
12. The appellant says that the site was acquired in 2023 to open a takeaway restaurant franchise. They need additional time because the work required by the notice needs significant capital investment. It will have an impact on the business and staff, due to the disruption caused, but 12 months is far too excessive given the nature of the work required.
13. A longer period would allow sufficient time to arrange and organise the work without causing significant issues for the business. There is also possibility of addressing the planning difficulties as the appellant attempted to obtain advertisement consent. On the circumstances, an extended 9-month period would be reasonable. This is a proportionate response. It would strike a fair balance between the competing interests of the wider public interest and this case. I am content that there would be no violation of the rights under Article 8 of the Human Rights Act. I consider 3 months is too short and it is a reasonable period of compliance. Ground (g) succeeds to this extent only.

Overall conclusions

14. For all the above reasons and having considered all other matters raised, I conclude that the appeal against the enforcement notice should fail on ground (a) and planning permission is refused. As I have varied the period of compliance, ground (g) succeeds to that extent.

A U Ghafoor

INSPECTOR