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## Appeal Decisions

Site visit made on 9 June 2026

by **D Hartley BA (Hons) MTP MBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 June 2026

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**Appeal A Ref: APP/W4705/C/25/3376365**

**Appeal B Ref: APP/W4705/C/25/3376366**

**2 Commercial Street, Queensbury, Bradford, BD13 2HP**

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
  - Appeal A is made by Mr Anwarali Lakhani and Appeal B is made by Mrs Mumtaz Mehboob Charania against an enforcement notice issued by City of Bradford Metropolitan District Council.
  - The notice was issued on 28 October 2025.
  - The breach of planning control as alleged in the notice is the installation of an externally mounted roller shutter to the south facing elevation of the building.
  - The requirements of the notice are to remove the unauthorised external mounted roller shutter, shutter box and guide rails from the south facing (front) elevation of the building and land.
  - The period for compliance with the requirement is twelve months from the notice taking effect.
  - Appeal A is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended) (the Act) and Appeal B is proceeding on the ground set out in section 174(2) (g) of the 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 Act.
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### Decisions

**Appeal A Ref: APP/W4705/C/25/3376365**

1. The appeal is dismissed, the enforcement notice 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.

**Appeal B Ref: APP/W4705/C/25/3376366**

2. The appeal is dismissed and the enforcement notice is upheld.

### Preliminary Matter

3. A draft National Planning Policy Framework 'Plan-making and national decision-making policies' was issued by the Government for consultation on 16 December 2025 (Consultation Draft Framework). I afford the Consultation Draft Framework limited weight as a material planning consideration. This is relative to the published National Planning Policy Framework 2024 (the Framework) to which I afford full weight as a material planning consideration.

### Ground (a) appeal and the deemed planning application

#### *Main Issue*

4. The appeal is made on ground (a) of section 174 of the Town and Country Planning Act 1990 (as amended) that planning permission ought to be granted in respect of any breach of planning control which may be constituted by the matters stated in

the notice. The main issue is the effect of the development on the character and appearance of the building and the area.

### *Reasons*

5. The end of terrace appeal property falls within a mixed commercial and residential area. It is in a prominent position and fronts a busy road leading into the city. The breach of planning control relates to a front extension to the appeal building which was approved as part of planning permission reference No. 21/04682/FUL. It is noteworthy that the approved elevations plan associated with such a planning permission shows internal security roller shutters.
6. Most of the properties in the area are constructed in natural stone and with slate roofs which add positively and distinctively to the character and appearance of the area. In the main, fenestration details in the form of windows and doors are not concealed with screens or shutters. This ensures that there is some pleasing design consistency to the way that the area is experienced by passers-by both during the day and in the evening.
7. The breach of planning control relates to the installation of a steel roller shutter (with guide rails) which extends to a large proportion of the front of the commercial property. It includes steel box housing at fascia height.
8. Paragraph 1.2 of the Council's adopted Supplementary Planning Document 'A shopkeepers guide to securing their premises' 2012 (SPD), states that '*external solid shutters hide shop fronts and window displays, and reduce light to the pavements, thus creating a deadening, unwelcoming and neglected effect on the high street. These effects present an unfriendly appearance and can create a perception of an unsafe environment on the high street*'. Whilst the appeal building is not in a 'high street', I nevertheless consider that the breach of planning control has the above negative impacts when experienced in its wider context. Indeed, the development is contrary to Design Principle 2 of the SPD which indicates a strong presumption against the provision of solid roller shutters on principal (i.e. front) elevations.
9. The appellant has not demonstrated why other more sensitive security options have been discounted including the one relating to planning permission reference No. 21/04682/FUL. Consequently, I cannot conclude with any certainty that the more sensitive options as detailed in the SPD, including the use of laminated security glass with strengthened frames, would not provide an appropriate level of security for the premises.
10. Even if I had found that a case had been made to justify an external roller shutter on the premises, the shutter that has been installed at the appeal property also fails to accord with Design Principle 3 of the SPD in so far that it is solid and not an '*external Lattice Grille, external 'Brink-Bond' Grille or external open chain link grille*' type of shutter.
11. In addition to the above, I find conflict with the adopted Local Development Framework for Bradford Shop Front Design Guide SPD 2007 (Design Guide) in so far that the roller shutter conceals a significant proportion of the architectural features of the ground floor frontage of the property including the entrance doorway and the shop front window. When the shutter is in the down position, I find that it has the effect of creating a harsh and unattractive appearance to the

appeal building and to the area. I find that there is therefore conflict with the Design Guide which states that *'all proposals for external security measures must be designed to respect the character of the building and the surrounding street scene'*.

12. In conclusion, I consider that the roller shutter (including the shutter box and guide rails) by virtue of its position and design has a detrimental impact upon the character and appearance of the appeal property and the area. Therefore, the development does not accord with the design and public safety requirements of policies DS1 and DS3 of the adopted Bradford Core Strategy DPD 2017; the SPD; the Design Guide; and paragraph 96(b) of the Framework.
13. In reaching the above conclusion, I have considered that there is an external roller shutter at No. 76 West End. However, this is to an access door used for storage and not to a shop front. Moreover, it is set back from the main road, is recessed from the front wall of the building, does not include a shutter box protruding outwards, and in relative terms is not as prominent in view when seen by passers-by. I acknowledged the existence of three roller shutters with box housing on another commercial property (Lottie Rose Luxury Salon) in the locality. The Council has confirmed that this does not have the benefit of planning permission. In any event, I do not find that the existence of this development justifies allowing the harmful appeal development. The area as a whole has open frontages, and, in turn, the proposal fails to represent good design.

#### *Planning Balance and Conclusion*

14. For the above reasons, I conclude that significant harm has been caused to the character and appearance of the building and the area. The development does not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the ground (a) appeal fails.

#### **Ground (g) appeals**

15. The appeal on ground (g) is made on the basis that the period specified in the notice in accordance with section 173(9) of the Act falls short of what should reasonably be allowed.
16. The period for compliance with the requirement of the notice is twelve months. The appellant considers that eighteen months is needed so that work can be scheduled and completed without disturbance to the business. In my judgement, a period of twelve months would enable time for the scheduling and completion of the work to take place without undue disturbance to the business coupled with putting in place alternative security measures. I find that a period of twelve months strikes a reasonable and proportionate balance between bringing the harmful development to an end in the public interest, while also ensuring that the business can continue to be operational.
17. For the above reasons, I conclude that the ground (g) appeals fail.

## **Conclusions**

### **Appeal A Ref: APP/W4705/C/25/3376365**

18. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

### **Appeal B Ref: APP/W4705/C/25/3376366**

19. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

*D Hartley*

INSPECTOR