Planning Inspectorate

Appeal Decision

Site visit not required

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2026

Appeal Ref: APP/W4705/C/26/3377478
22 Ivegate, Bradford, BD1 1SW

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Mudassar Hussain against an enforcement notice issued by City of Bradford Metropolitan District Council.
- The notice was issued on 13 January 2026.
- The breach of planning control as alleged in the notice is without planning permission, the installation of a replacement shopfront and fascia board to the south facing (front) elevation of the building on the land, as shown in the attached photograph.
- The requirement of the notice is to remove the unauthorised shopfront and fascia board from the south facing (front) elevation of the building on the land.
- The period for compliance with the requirement is two calendar months.
- The appeal is proceeding on the grounds set out in section 174(2)(b) and (f) of the Town and Country Planning Act 1990 (as amended).

Decision

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

Ground (b) appeal

2. An appeal made on ground (b) is that the matters comprising the alleged breach of planning control have not occurred. The onus is on the appellant to make a case on the legal grounds of appeal.

3. The appellant's case on ground (b) is *"prior to my occupation of the premises, the existing shopfront and fascia board had already been in place for a significant number of years during the operation of the previous business, Sweet Essence. These features were present long before I took over the premises and formed part of the established character of the property".*

4. The above indicates to me that the shopfront and fascia board have in fact been installed. That is the question that needs to be answered in terms of the appeal made on ground (b). The appellant has not provided any evidence to demonstrate that the breach of planning control has not occurred. Therefore, the ground (b) appeal fails.

Ground (f) appeal

5. An appeal on ground (f) is made on the basis that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control or to remedy any injury to amenity which has been caused by any such a breach.

6. The appellant's claim on ground (f) is *"the shopfront, fascia board, and shutter installation present no hazard or risk of injury to members of the public. All elements are securely fixed, well maintained, and fully contained within the premises. There are no sharp edges, projections, obstructions, or features that could pose a danger to pedestrians or neighbouring properties. Furthermore, there are no reasonable or additional steps that could be taken to make the installation safer, as it already meets safety requirements and does not present any risk".*

7. The purpose of the notice is to remedy the breach of planning control by requiring the removal of the shopfront and fascia board. This is not an excessive requirement as it remedies the breach of planning control.

8. The safety comments made by the appellant are not relevant to the consideration of the ground (f) appeal. I therefore conclude that the ground (f) appeal fails.

Conclusion

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

D Hartley

INSPECTOR