
Appeal Decision

Site visit made on 18 December 2019

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 January 2020

Appeal Ref: APP/A4710/W/19/3238211

2 Garside Drive, Keighley Road, Halifax HX2 8AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Michael Mayhew against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 19/00452/OUT, dated 25 March 2019, was refused by notice dated 11 July 2019.
 - The development proposed is a 2 bedroom single storey bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application is submitted in outline form with all matters reserved for later consideration. Therefore, whilst plans have been submitted suggesting how a dwelling could be accommodated on the site, these have been provided for indicative purposes.

Main Issues

3. The main issues are the effect of the proposed development upon (i) the character and appearance of the area and (ii) highway safety.

Reasons

Character and appearance

4. The surrounding area is characterised by a mixed design and age of buildings. Generally, the dwellings in the vicinity have reasonably sized garden areas and this, together with the open spaces found around buildings in the locality, gives the area a spacious feel. Although an existing wall and vegetation provide some screening to the appeal site, it occupies a prominent position on the corner of Garside Drive and Keighley Road. As a result, any development on the site would have a clear impact upon the public domain and reduce the spaciousness between the built form that is currently observed.
5. Whilst indicative, the plans submitted show that the appeal site would be mostly covered by the footprint of the dwelling and by the parking area. A very limited amount of outdoor amenity space would be provided. This would be at odds with the prevailing layout of dwellings in the area and the space afforded around them, in particular in terms of the dwelling footprint to plot size ratio. Furthermore, it would substantially erode the spacious feel of the surrounding

area. These factors combined would result in significant harm to the character and appearance of the area.

6. The appellant has made reference to the fact that the planning application has been submitted in outline form and therefore that the footprint of the dwelling could ultimately be smaller than that shown on the indicative plan. However, I have not been provided with anything to demonstrate how this could be achieved in a manner which would ensure that the proposed development would not result in harm to the character and appearance of the area.
7. I conclude therefore that, on the basis of the information before me, the proposed development would cause significant harm to the character and appearance of the area. Accordingly, the proposal would conflict with the objectives of Saved Policy BE1 of the Replacement Calderdale Unitary Development Plan Amended 2009 (UDP) and the National Planning Policy Framework (The Framework), both of which seek to safeguard character and appearance.

Highway safety

8. Due to the close proximity of the access to the proposed development to the main Keighley Road, there is potential for significant conflict between vehicles turning into Garside Drive and those leaving the appeal site. This impact is intensified by the likelihood that vehicles leaving the site would need to do so in a reverse gear, or that they would need to manoeuvre on the existing highway in order to reverse back into the site. I again note the appellants comments that the application is made in outline form, but I have nothing before me to demonstrate that adequate turning facilities could be provided on the appeal site.
9. The appellant has drawn attention to the fact Garside Drive is not a publicly adopted highway. However, the issue under consideration is the impact of the proposed development upon highway safety, and therefore the ownership of the road has limited relevance in this respect. Furthermore, in the event that more than one vehicle was to enter Garside Drive at the same time as a vehicle was leaving or manoeuvring into the appeal site, then there would be potential for the conflict identified to extend onto the publicly adopted Keighley Road, due to the proximity of the site to the junction.
10. The Council has referred to concerns relating to visibility splays, however such details could be provided in conjunction with the reserved matter of access. I observed nothing during my site visit that would suggest that appropriate visibility splays could not be provided, or that the existing visibility at the junction with Keighley Road would be adversely affected by the proposed development.
11. For these reasons I conclude that the proposed development would cause significant harm to highway safety. It would therefore fail to meet with the aims of Saved Policy BE5 of the UDP and The Framework, both of which seek to ensure that new developments do not cause harm to highway safety.

Other Matters

12. The appellant has expressed frustrations relating to the planning application process and their discussions with the Council, however I must determine the appeal based upon the merits of the case and on the information before me.

Therefore, whilst I acknowledge the appellants representations in this regard, they can have no bearing upon my decision.

13. The Council has raised concern about the amount of amenity space that would be left at the existing dwelling. Although it would be much reduced from the existing situation, it would nonetheless in my view be of a reasonable size to meet the needs of the occupiers of the dwelling. I therefore find no harm in this respect, however this does not outweigh the significant harm I have identified with regard to character and appearance and highway safety.

Conclusion

14. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR