



Appeal Decision

Site visit made on 2 November 2021

by J Hunter BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2021

Appeal Ref: APP/W4705/W/21/3280214

Food Court, Ingleby Road, Bradford, West Yorkshire BD8 9AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Ingleby Park Holdings Limited against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/02123/FUL, dated 22 March 2021, was refused by notice dated 16 June 2021.
 - The development proposed is described as proposed first floor covered external dining area.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are i) the effect of the proposal on car parking arrangements and ii) the effect of the proposal on the functioning of the existing uses with regard to access and plant equipment.

Reasons

Car Parking

3. The appeal building is a detached building that is divided into separate commercial units housing a range of eateries and takeaways. It sits centrally within a large area of hardstanding that it utilised as carparking for the various businesses. I saw during my site visit that there further single storey detached building in the south-east corner of the site. At the time of my visit this building was operating as a café with a drive through element, resulting in the front portion of the carpark being coned off.
4. The submitted design and access statement describes the carpark as having 73 spaces although I saw during my site visit that this has not been marked out and there are no plans that show the layout of the carpark. It is also unclear whether the spaces that were coned off for the use of the drive through were included in the calculation of the 73 spaces. The appellant states that the proposal would require 13 car parking spaces leaving 60 spaces for the remaining businesses, but it does not provide any breakdown of how those spaces may be allocated or indeed what requirement each of the businesses has in terms of car parking.
5. The Highways Department have commented that there is insufficient information to enable them to reach a conclusion on the appropriateness of the

car parking arrangements and based on the information I have before me and from what I saw during my site visit I would concur with this view.

6. Consequently, I cannot be certain that the proposal would not have an unacceptable effect on carparking, in this regard the proposal would fail to accord with the requirements of Policy TR2 of the Bradford District Core Strategy Development Plan Document 2017 (DPD). This policy requires proposals to, amongst other things, take a design led approach to parking that is well integrated within the overall layout so that it supports the street scene and local character and creates a safe and pleasant environment.

Existing Uses

7. The appeal building has a series of glazed shop fronts at ground floor and a tall steeply sloping pitched roof above. On the southern gable there is a large single storey glazed extension and to the rear there is a single storey extension with a flat roof.
8. The proposal would see the development of a covered seating area above the existing rear extension as well as an external staircase alongside its southern elevation. The submission details indicate that a new seating area would be used by patrons of 'Mother Hubbard's' which from what I could see on site, is located in the glazed extension at the side of the main building.
9. I have been given first floor plans of the building which show the top portion of an internal staircase however, I have not been provided with ground floor plans that would confirm where the staircase finishes on ground floor. I note that the Council state this internal staircase finishes in the unit adjacent to 'Mother Hubbard's' and therefore it is unclear how the internal access arrangement will work in relation to the proposed seating area. I expect that separate access via the external staircase may be an option, but it is not clear how the extension and the existing 'Mother Hubbard' premises would be linked as it is not shown on the plans.
10. Furthermore, I saw during my site visit that there was a series of ventilation chimneys and a small extraction unit on flat roof, in the location of the proposed seating area. I have not been provided with any information in relation to how this plant may be repositioned but clearly its removal could have implications for the existing uses at the premises. I note that the Council's Environmental Health Office has raised concerns in this regard.
11. I cannot therefore be certain that the proposal would not result in an unacceptable impact on the functioning of the existing uses with regard to access and plant equipment. This would be contrary to the environmental protection and inclusivity requirements of DPD Policies EN8 and DS5 respectively.

Conclusion

12. There are no material considerations that indicate the application should be determined other than in accordance with the development plan. Therefore, for the reasons given above I conclude that the appeal should be dismissed.

J Hunter

INSPECTOR