



Appeal Decision

Site visit made on 1 February 2022

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2022

Appeal Ref: APP/A4710/D/21/3284364

466 Bradford Road, Brighouse, West Yorkshire HD6 4ED

- 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 Miss Karen Foster against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 21/00342/HSE, dated 10 March 2021, was refused by notice dated 1 September 2021.
 - The development proposed is dropped Kerb outside property.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on highway safety of pedestrians and all road users on Bradford Road.

Reasons

3. The appeal site relates to an end-terraced dwelling located along the east side of Bradford Road (A641), in close proximity to the junction of Highfield Avenue. The properties within the immediate row are both terraced and semi-detached and feature a mix of sizes and design in regard to front garden areas with not all having driveways or off-road parking availability.
4. Bradford Road is a primary route to and from Brighouse Centre and is a heavily trafficked road. Existing on-street parking is available along both the east and west sides of Bradford Road and in the surrounding roads. Thus, there are no parking restrictions on the road outside the appeal site.
5. The dwelling itself, is set back from the roadway by a pavement and has a hardstanding front garden area. The front of the garden area is open facing the highway, but directly adjoining the boundary with No.464 are concrete posts with fencing and the boundary abutting No.468 has a stone wall.
6. Given the limited width of the driveway at the property and lack of any turning space. The proposal would result in vehicles having to either reverse in or out of the parking area on the driveway. Such manoeuvres are likely to affect the flow of traffic on Bradford Road, impact on pedestrians using the pavement and impair visibility of other road users, which would not be in the best interests of highway safety.
7. Furthermore, there would be a lack of suitable visibility for those manoeuvres to be exercised in a safe manner from within the driveway space. This would be

hindered by the existing neighbouring boundary walls, fences, vegetation and an existing lighting column positioned directly to the site on the pavement. In addition, even if, vehicles were able to enter and exit the site in a forward gear, a safe visibility splay could not be achieved in either direction.

8. The appellant has referred to other parking arrangements within the vicinity of the appeal site and wider area. However, I have limited evidence of these schemes, whether they have benefited from planning permission or that they would be satisfactory in highway terms. Matters of traffic incidents, or lack of reasonable parking management in the area would be for the regulatory authorities to deal with and are outside the scope of this appeal.
9. For the reasons given above, I conclude that the proposal would result in an unacceptable impact on the highway safety of pedestrians and all road users on Bradford Road. As such, the proposal would be contrary to Saved Policy BE5 of the Replacement Calderdale Unitary Development Plan, 2006, as amended by Direction, 2009. This policy requires the design and layout of highways and accesses to ensure the safe and free flow of traffic in the interests of highway safety.
10. Moreover, the proposal would not be in accordance with paragraph 111 of the National Planning Policy Framework. It sets out that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Other Matters

11. I have given due regard to the reasons submitted as to why the appellant has applied for planning permission for the dropped kerb and construction of a parking space. These are personal circumstances to which I attribute limited weight. The absence of other harm in neighbours already reversing onto the highway does not justify the scheme, or the significant harm I have found the proposal would have on highway safety.

Conclusion

12. The proposal conflicts with the development plan, taken as a whole and there are no other material considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

KA Taylor

INSPECTOR