



Appeal Decision

Site visit made on 28 February 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th June 2022

Appeal Ref: APP/W4705/W/21/3289259

Craven Heifer, Main Street, Addingham, Ilkley LS29 0PL

- 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 Mr P Croft of Croft Building against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/02071/FUL, dated 19 April 2021, was refused by notice dated 12 August 2021.
 - The development proposed is construction of two houses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is some minor variation in the location and description of the development as given on the planning application form, decision notice and subsequent appeal documents. I have taken these details in the heading above from the appeal form as they accurately represent the proposal.
3. The appellant has referred to an alternative car parking arrangement providing 15 spaces serving the Craven Heifer, which they consider could be required by condition. However, the alternative scheme is materially different from the plans on which the Council made its decision in a number of significant respects, including the extent of the residential plots as well as the parking layout. Within this context I am mindful of the Wheatcroft Principles¹ which are further explained in the Procedural Guide². I consider, in the interests of fairness, that this appeal must be determined on the basis of the plans on which the Council made its decision and which have been subject to consultation, and not the revised plans. To do otherwise could prejudice unacceptably the interests of parties who would not have been consulted on the amended proposals and who may have observations to make.

Main Issue

4. The Council's reasons for refusal refer to issues of highway safety. However, comments raised at the planning application and appeal stages refer to the effect on parking in nearby residential areas. The appellant has had the

¹ Derived from *Bernard Wheatcroft Ltd v SSE* (1982)

² Procedural Guide: Planning appeals – England: Annex M - Can a proposed scheme be amended?

opportunity to address these concerns as part of the appeal, and I consider that it is appropriate for me to address this issue.

5. The main issue is whether the proposal would make suitable provision for the parking of vehicles, with due regard to highway safety and the living conditions of nearby residents in respect of access to vehicle parking.

Reasons

6. The Craven Heifer is in a mixed commercial use including 7 bedrooms offering guest accommodation as well as other uses including a public bar and, until recently, a restaurant. The two dwellings would be located on a car parking area which currently serves the business, which the appellant describes as being for overflow parking. A reduced number of parking spaces would be provided adjacent to a circulation/service area and access road, and I saw that parking spaces were marked out on these areas. The proposed parking area would serve the Craven Heifer, and also provide access for the proposed dwellings, which would have their own dedicated parking, as well as an existing adjacent dwelling. The proposal would result in 12 spaces being provided to serve the business.
7. The Council's Core Strategy 2017 (the Core Strategy) includes indicative parking standards, which sets out the number of parking spaces for uses including food and drink, public houses, and hotels. The appellant submits that these standards should be considered to be revoked due to recent changes in legislation where public houses are now a 'sui generis' use, and that car parking provision should be based on the predominant use of the particular public house.
8. However, whilst the use classification of the premises may have changed, this does not change the characteristics of the uses it contains. I therefore consider that the indicative parking standards of the Core Strategy are an appropriate basis on which to assess the proposal.
9. Reference is made to the bar and catering facilities largely being operated for the benefit of staying guests. However, the Craven Heifer has recently included a restaurant and the bar facilities are available to passing custom, albeit that the latter currently operates on a limited basis. The property could include a mixture of uses which would generate parking demand. On that basis, I consider that it is appropriate to assess parking provision on the basis of the use of the property as a whole, and not just its primary use.
10. Residents of the 7 bedrooms at the Craven Heifer are likely to drive to the site, and would therefore use a significant number of the proposed parking spaces. I have had regard to the appellant's evidence regarding the viability and closure of the restaurant business. Nevertheless, the operations at the site could change or intensify within its current permitted mixed use, particularly as restrictions ease following the Covid pandemic. The commercial uses would also generate staff parking, and the appellant's reference to the business being insufficient to employ regular car borne staff is not supported by substantive evidence. The proposal would therefore lead to a very limited number of spaces being available for customers of a public bar, restaurant or similar use.
11. Comments from local residents provide details of parking associated with the Craven Heifer which exceeds the parking provision which would result from the

- proposal. The appellant contends that this survey is unlikely to be objective and may exaggerate the actual situation. However, they have provided no substantive evidence to demonstrate that that is the case. Similarly, although the Council's parking standards are indicative, the appellant's evidence is not sufficient to demonstrate that those standards should not be applied.
12. Based on what I have seen and read, and mindful of the indicative nature of the parking standards of the Core Strategy, it has not been demonstrated that the number of off-street parking spaces which would be available for the Craven Heifer would be sufficient to cope with demand. Viewed objectively and in context, the concerns of the Council and comments made locally in respect of parking provision would appear to be well-founded.
 13. It is likely that parking displaced from the site would lead to vehicles being parked in the surrounding area, including the residential area around Green Lane. Although some off-street parking is available for dwellings in this area, many rely on on-street provision. At the time of my site visit I saw that on-street parking was available, although I am mindful that my visit took place during the day when the demand for parking in this residential area is likely to be at the evening and weekends. Parking generated by uses at the Craven Heifer is also likely to be greatest at the evening and weekends.
 14. Based on the evidence before me, the reduction in parking resulting from the appeal proposal would lead to an increase in on-street parking in nearby residential areas at peak times, to the detriment of access to on-street parking spaces that residents could reasonably expect. The appellant considers that an increase in parking would be de-minimis and that the surrounding area could absorb this, but has not provided sufficient evidence to demonstrate that that would be case. Furthermore, even allowing for low traffic speeds in this area, awkward manoeuvres resulting from on-street parking congestion would cause unacceptable risk to drivers and pedestrians.
 15. The Council refers to potential parking on the through road of Main Street. However, there are parking restrictions along the extent of Main Street nearest to the Craven Heifer, and I consider that overflow parking associated with the business is more likely to occur on Green Lane due to its relative proximity. Although Main Street is a through route, the Council has also not demonstrated that parking on this route would lead to issues of highway safety. However, this does not negate my concerns in respect of parking in the nearby residential area including Green Lane.
 16. In respect of traffic movements, the Council expresses concern that the access lane to the side and rear of the Craven Heifer is unadopted, and that the one-way system cannot be enforced. However, this situation is not unusual in private car parks, and matters including the provision and retention of signage could be enforced by condition. The one-way system to the side of the Craven Heifer is an appropriate solution to the flow of traffic along this restricted extent of the lane.
 17. That said, the access to the rear leading to Green Lane was available for vehicles flowing both ways at the time of my visit, and the proposed ground plan indicates that this would be unchanged. Both the existing and proposed parking layouts reduce the width of this access to a single lane, although I saw that vacant parking spaces enabled vehicles to pull in to allow other vehicles and pedestrians to pass. However, the proposal would increase demand for the

parking of vehicles along the lane, with a resultant restriction in the space available for vehicles to pass. This could lead to vehicles reversing for some distance to enable other vehicles to pass, or reversing onto Green Lane to allow other vehicles to egress the site. Such awkward and convoluted manoeuvres would increase the likelihood of collisions between vehicles as well as other road users such as pedestrians, even allowing for the low speed and volume of traffic in this area.

18. I am not persuaded by the appellant's reference to vehicles normally being parked on the shared surface road for reasons of convenience. I saw the parking spaces on the appeal site were convenient and provided a more logical parking area due to a lack of through-traffic, even allowing for the extent of lighting in the area.
19. The appellant refers to a natural one-way route in via Main Street and out via Green Lane. It may be possible to implement this one-way system through signage. However, drivers of vehicles may not be aware that the site should not be accessed from Green Lane until they arrive, with resulting convoluted manoeuvres on reaching the junction. This would also increase traffic movements along the extent of the lane adjacent to the Craven Heifer which would become the only vehicular entrance to the car park, and I do not consider that this would be appropriate on highway safety grounds due to the restricted nature of this extent of the lane.
20. The appellant has provided map extracts relating to public rights of way and the extent of adopted and unadopted highway. However, whilst the access lane may not be depicted on these maps, the evidence suggests that it has been in use as a pedestrian route for a significant period of time, and the maps do not demonstrate that pedestrians are prohibited from passing along this route. In any event, the proposed dwellings would require pedestrian access as would customers accessing the Craven Heifer, with potential for conflict with passing or manoeuvring vehicles.
21. The Council refers to obstruction from service and delivery vehicles, although the appellant states that deliveries are made in small transit size vans mainly when the pub is closed or at quiet times. However there is no certainty that that would remain the case. It has also not been demonstrated how deliveries could take place without obstructing access to the proposed dwellings, particularly when spaces within the car park are in use.
22. I conclude that the appellant has failed to demonstrate that the proposal would make suitable provision for the parking of vehicles associated with the Craven Heifer, particularly at times of peak demand. On that basis, the proposal would lead to an overspill of parking on local roads which could not be accommodated without significant harm to the living conditions of residents with regards to access to on-street parking. The proposal would also lead to an increase in potential conflicts between vehicles and pedestrians, with unacceptable harm to highway safety.
23. As such, the proposal would conflict with Policies DS4, DS5 and TR2 of the Core Strategy which, amongst other things, assess development against indicative parking standards to ensure that vehicle parking is well integrated into the area, safe and convenient. The proposal would also conflict with the National Planning Policy Framework (the Framework) due to its unacceptable impact on

highway safety as well as the harm of overflow parking in respect of making high quality places.

Other Matters

24. I note the frustrations expressed by the appellant in relation to the advice from the Council and the highways consultee in the process leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits.
25. The appellant has confirmed their intention to continue the business at the Craven Heifer, and I have had regard to the comment submitted in support of the appeal which refer to the closure of other public houses in this area and the efforts of the appellant to maintain this business. However, the intention to retain the commercial operation at the Craven Heifer does not negate my concerns in respect of parking provision.

Planning Balance and Conclusion

26. It is common ground that the presumption in favour of sustainable development set out in paragraph 11(d) of the Framework is engaged due to the Council's housing land supply.
27. I have had regard to the benefits of the proposal. The development would add to the supply and mix of housing in the area and would be constructed on brownfield land. However, even given the evidence of a significant shortfall in the Council's housing land supply, this contribution would be of limited benefit given the number of dwellings proposed. The appellant refers to the contribution that small sites can make to housing supply, and emphasises that the Framework requires that great weight to the benefits of using suitable sites within existing settlements for homes. However, due to the effect on parking and access I do not consider that this is a suitable site for the form of development proposed.
28. The site is close to the Grade II Listed Building of 8 Main Street. It is also within the Addingham Conservation Area (CA), and the Craven Heifer is identified as a key unlisted building within the CA. However, the Council has concluded that the proposal would maintain the character of the CA and would not harm the setting of the Listed Building or the Craven Heifer. I see no reason to disagree.
29. The proposal would result in the introduction of built development of an appropriate design for the area on a site which is presently dominated by hard surfacing, with subsequent benefit to character and appearance. On that basis, the proposal would also improve the setting of the heritage assets. However, the site as it currently exists is not prominent in views of the area and is not unduly obtrusive. The benefits of the proposal with regards to character and appearance therefore carry only limited weight in favour of the appeal.
30. Even considered cumulatively, these benefits would not outweigh the significant harm that I have identified arising from the inadequate provision of car parking that would result from the proposal. Overall, I conclude that the adverse impacts of the development would significantly and demonstrably outweigh the identified benefits when assessed against the policies of the Framework taken as a whole.

31. Consequently, the proposal would not represent sustainable development and the appeal should be dismissed.

David Cross

INSPECTOR