



Appeal Decision

Site visit made on 11 July 2022

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 July 2022

Appeal Ref: APP/W4705/W/22/3298798

Btal House, Laisterdyke, Bradford BD4 8AT

- 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 Appris Charity Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 22/00866/FUL, dated 21 February 2022, was refused by notice dated 6 May 2022.
 - The development proposed is the addition of 2 free standing portable buildings (classrooms) one measuring 35.40 and the other 44.32 m.sq.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on the character and appearance of the area; and whether it would be accessible and inclusive to all users.

Reasons

Character and appearance

3. The appeal site is an area of unused land within the Appris Engineering and Training Centre, which is located at the corner of Laisterdyke (A6177) and New Lane. The area has strong commercial and industrial influences with buildings of various age and style reflecting the function of the enterprises occurring within the locality. However, those at the appeal site and the adjacent Business Centre are more modern in appearance, and together with the residential development on the north side of New Lane, are indicative of the ongoing positive regeneration of the area.
4. As the appellant notes, portable buildings of the type proposed are used in many situations. Nonetheless, by their very nature, they have an uninteresting functional and temporary appearance. In this case, they would be highly conspicuous from New Lane due to the open palisade fencing and the absence of any existing or proposed landscape planting along the roadside boundary. Their arrangement with the blank elevations facing New Lane would have almost no activity and minimal visual interest when viewed from the public realm. As such, the development would not make a suitably positive contribution to the character and appearance of the site and the surrounding area.

5. The development therefore conflicts with Policies DS1 and DS3 of the Bradford Core Strategy Development Plan Document (2017) (the CS), in so far as these policies seek achievement of good quality design and high quality places. The proposal is also contrary to paragraph 130 of the National Planning Policy Framework (the Framework), which requires that development will add to the overall quality of the area over the lifetime of the development; is visually attractive as a result of good architecture, layout and effective landscaping; and establishes a strong sense of place using the arrangement of streets and building types to create attractive, welcoming and distinctive places to live, work and visit.

Accessibility and inclusion

6. It is important that all users of a development are able to enter and exit independently without additional effort, separation or special treatment and with dignity. This is reflected in Policy DS5 of the CS, which requires, among other things, that development is designed to ensure buildings and places provide easy access for all, including those with physical disabilities.
7. Furthermore, I am required to have due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment, victimisation and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it.
8. The appellant states that the proposed Portakabins would have a shallow ramp access which would provide suitable disabled access. However, this is not demonstrated on the application drawings before me and no other information has been provided to explain how the appropriate legislative and planning policy requirements would be met.
9. Therefore, on the evidence before me, I am unable to conclude that the development would be accessible and inclusive for all users. Thus, the proposal also conflicts with Policy DS5 of the CS.

Conclusion

10. I acknowledge the need for the development and its potential wider economic benefits. Together with the use of under-utilised land, these are positive aspects which weigh moderately in favour of the proposal.
11. However, I consider that the benefits of the scheme would not be sufficient to outweigh the significant conflict with the contents of the development plan and Framework relating to character and appearance, as well as accessible and inclusive design. For these reasons, I conclude that the appeal proposal conflicts with the development plan, read as a whole. There are no material considerations of sufficient weight to justify a decision being made other than in accordance with the development plan. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR