



Appeal Decision

Site visit made on 12 July 2022

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 August 2022

Appeal Ref: APP/N4720/D/22/3301379

180 Bradford Road, Otley LS21 3LT

- 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 S Chalk against the decision of Leeds City Council.
 - The application Ref 22/00817/FU, dated 1 February 2021, was refused by notice dated 29 March 2022.
 - The development proposed is 'demolition of rear porch. Proposed single storey rear extension; forming larger bedroom and open plan kitchen/dining area. Proposed formation of off-street parking, new retaining walls and landscaping'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Whilst the Council's description of development is more concise, I have used the appellants description as it appears on the planning application form.

Main Issue

3. The main issues in this case are the effects of the development on highway safety with regard to the suitability of the access for reversing manoeuvres; and on the character and appearance of the area.

Reasons

Highway safety

4. The appeal site, like nearby dwellings, has no off-street parking, and grass highway verges are used for parking vehicles. The proposal would provide off-street parking removing the need to potentially slow in the carriageway and ride the kerb to park on the verge in front of the site. From my observations on site, and the evidence before me, vehicles would need to reverse on or off the road. While visibility is sufficient, this is based on there being no obstructions between the access and the carriageway. Splays are achieved on basis of no obstructions between the access and carriageway. At the time of my visit, and from the evidence, it is clear that lots of parking takes place within the verge. While the new access may prevent this immediately in front of it, there is no compelling evidence to show that parking within these splays would be enforced or could be suitably controlled by planning condition.
5. It is noted the appellant states the current arrangements are likely to result in U-turn manoeuvres and traffic collision data does not show significant incidents have occurred to date, or that they are related to reversing. However, even

with conditions regarding the visibility splays, this would not prevent parking on the verge near the access. Vehicles reversing would also not be uncommon in the street given the presence of other access points nearby. Notwithstanding this, the proposal would lead to drivers of vehicles entering or leaving the site with limited sight of oncoming pedestrians/vehicles due to their position when reversing and that of nearby parked vehicles.

6. There were other locations where there would be reversing manoeuvres, but many of these driveways had neighbouring properties which also benefitted from off-street parking. Therefore, parking on the verge, was less noticeable, and in turn I consider their visibility to be better. My attention has also been drawn to the development at No.198 Bradford Road. Whilst this would be a similar arrangement to the appeal proposal, the appeal site differs in that it is in close proximity to a convenience store, whereby there would be an increased frequency of vehicle movements from customers and deliveries during the day. Nevertheless, even if this was not the case, the proposed development is likely to encourage reverse manoeuvres with limited visibility which I find detrimental to highway safety.
7. I therefore conclude that the development would result in harm to highway safety with regard to the suitability of the access for reversing manoeuvres. It would conflict with saved Policies GP5 and T2 of the Leeds City Council Unitary Development Plan (UDP) and to the Street Design Guide Supplementary Planning Document (SPD). These require, amongst other aspects, that development does not create new transport problems or existing ones are exacerbated and seeks to maximise highway safety. Whilst not severe, there would be a harmful impact on highway safety contrary to the advice within the National Planning Policy Framework (the Framework) which seeks to minimise the scope for conflicts between pedestrians, cyclists, and vehicles.

Character and appearance

8. In relation to the off-street parking development, the proposed design would reflect the front boundary wall, utilising the same stone material. This would retain a small front section of wall and incorporating stone into the steps would retain the existing character of the area. In addition, the alteration of the garden slope would be treated sensitively, with lower stepped retaining walls, which reduces the impact of a high blank wall and allows for levels of planting that could be conditioned were the appeal to be allowed, and which would be of a scale and detail appropriate to the host dwelling. The proposal would also include an electric vehicle charging point. Therefore, the impact upon the character and appearance of the area would be acceptable.
9. This part of the highway also includes a relatively wide grass highway verge, which would be lost to create a vehicle crossing. The visual benefit from these verges has been eroded due to parked vehicles, and several verges appear to be in decline. Therefore, their loss in this location is not harmful as they are already compromised, and I also note that some have been converted to parking spaces with dropped kerbs. As such, the proposed hard surfacing would not appear incongruous.
10. The single storey rear extension would be subservient to the host dwelling and appropriate in design vernacular. Given its scale and siting, it would not compromise privacy, daylight, or outlook for neighbouring residents.

11. I therefore conclude that the development would not harm the character and appearance of the host dwelling and surrounding area. Thus, it would not conflict with Policy P10 of the Leeds City Council Core Strategy, saved Policies GP5 and BD6 of the UDP, and policy HDG1 of the Council's adopted Householder Design Guide 2012 SPD. Amongst other things, these require development, including extensions, to be well designed, and to respect the scale, form and features of the original building and the character of its surroundings.

Other Matters

12. Whilst I have the power to issue a split decision on an appeal, this power is discretionary, and I am not obliged to use it. I do not consider that the parts of the proposal which are acceptable would be clearly and easily defined with reference to the submitted drawings. As such I do not consider that a split decision would be appropriate in this case.
13. Whilst I found the scheme to be acceptable in terms of character and appearance, this neutral effect and minor benefit from the electric charging point does not outweigh the harm that would arise in relation to highway safety. The proposed development conflicts with the development plan when considered as a whole, and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

Conclusion

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

K Williams

INSPECTOR