



Appeal Decision

Site visit made on 15 November 2022

by C Megginson BA (hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 December 2022

Appeal Ref: APP/W4705/W/22/3307795

Land Brick Row, Bradford 415453 427123

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr R Stott & Mr F Stott against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/04611/OUT, dated 2 September 2021, was refused by notice dated 30 March 2022.
 - The development proposed is described as Residential development (5 No Residential Dwellings).
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Decision

1. The appeal is dismissed.

Preliminary Matters

Main Issue

2. The main issue is the effect of the proposed development on highway safety.

Reasons

3. The appeal site is currently an open grassed area, featuring mature trees, bound by the terraced streets of Brick Row and Temperance Field. These two streets feature unadopted highways, which are in very poor condition, with an extensive number of potholes. Residents largely park on street or on the edges of the appeal site itself. An unadopted road crosses the appeal site from outside No's 10 and 11 Brick Row, diagonally across to Temperance Field, and a public footpath also crosses the site.
4. The appeal proposal would take its access from Worthing Head Close and would upgrade the section of Brick Row within the appeal site to adoptable standards. The appeal scheme would not include parking facilities for the residents of No's 10 to 16 Brick Row. Given that these residents do not have any alternative parking provision, it is reasonable to assume that they would continue to park on street, outside of their homes.
5. Refuse vehicles currently reverse down Worthing Head Close and would need to reverse onto the appeal site to service the proposed dwellings. Even with an access road width of 5.5 metres, the presence of parked cars along Brick Row would be likely to obstruct refuse vehicle movements to the detriment of highway safety.
6. The appeal scheme would remove the existing link road and include a new road to link Brick Row and Temperance Field. This would allow refuse vehicles to

continue to reverse along Brick Row from Town Gate and across to Temperance Field, in a similar manner to how they currently operate. Nevertheless, where the link is proposed to meet Temperance Field, on street parking is prevalent and as such, would be likely to obstruct refuse vehicles.

7. Furthermore, it is reasonable to assume that the creation of an upgraded link road would encourage increased use by the residents of Temperance Field, either to exit via Town Gate or Worthing Head Close. Visibility at the junction of Brick Row and Town Gate is severely restricted in both directions due to built development. Vehicles would have to slowly edge forward into the carriageway to gain visibility. As a result, I consider that highway safety is prejudiced by the existing access arrangement onto Town Gate. This would be further exacerbated by an increase in vehicles using this junction.
8. Similarly, even with a point closure along Brick Row, the appeal scheme itself would result in traffic from the proposed dwellings and from No's 10 to 16 Brick Row accessing the site through Worthing Head Close. The junctions onto Worthing Head Road and then onto Town Gate have severely limited visibility in both directions due to built development close to the junctions. The appeal scheme would result in an increase in vehicles using these junctions.
9. The proposed development would therefore have an unacceptable effect on the safe use of the highway. As such, it would be contrary to Policy DS4 of the City of Bradford Metropolitan District Council Core Strategy Development Plan Document (2017) and the National Planning Policy Framework, which requires that a safe and suitable access to the site can be achieved for all.

Other Matters

10. I appreciate that the appellant has had differing views from the Council with regards to highway issues, during the evolution of the appeal scheme. However, I have considered this proposal on the basis of the proposals detailed and the implications arising therefrom. This matter does not, therefore, lead me away from my conclusions.
11. Matters related to the ownership of land and Section 278 agreements would be separate to and would not ultimately influence the assessment of the planning merits of the proposal.

Conclusion

12. Drawing everything together, the proposal would conflict with the development plan, when read as a whole. Material considerations, including the Framework do not indicate that a decision should be made other than in accordance with the development plan.
13. Having considered all other matters raised, I therefore conclude that the appeal should be dismissed.

C Megginson

INSPECTOR