



Appeal Decision

Site visit made on 10 June 2025

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 1 July 2025

Appeal Ref: APP/W4705/W/25/3358458

41 Mill Hey, Haworth, Keighley BD22 8NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr J Vermaak against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/00191/FUL.
 - The development proposed is change of use from 2 dwellings to 5no. holiday lets.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address on the application and appeal forms refers to the site as No 39 Mill Hey. However, it has been confirmed by the appellant and the Council, that No 39 and No 41 were merged, and the official address is No 41, as found on the decision notice.
3. The appellant's name on the application form is Vermaak, whilst on the appeal form it is Mr J Vermaak. Therefore, I have used the name on the appeal form in the banner heading above.

Main Issue

4. The main issue is the effect of the proposal on highway safety.

Reasons

5. The appeal site is a stone, mid-terraced house, in a row of houses and commercial premises. The area is largely residential, although shops and other businesses are sited along the adjoining B6142. No 41 has four storeys and has been in use as a five-bedroom dwelling house with a one-bedroom basement flat. It has no existing or proposed parking.
6. The proposed plans show four studio flats on the 1st and 2nd floors, each with a double bed. On the basement floor, two-bedrooms are shown which connect to accommodation on the ground floor. The Council's parking standard¹ for residential flats is 1.5 car parking spaces per flat, with 2 visitor parking spaces. In this instance, as it is a holiday let, the Council consider that 5 parking spaces would be appropriate.

¹ Appendix 4, Bradford District Core Strategy Development Plan Document, 2017

7. There are double yellow lines outside the site and along both sides of Mill Hey towards the railway station. The nearest residential street to No 41 is River Street, which is short and steep, with a limited amount of on-street parking on one side of the street, with double yellow lines on the other. A short distance from the site is the Gas Street car park which charges for parking every day between 8.00 and 18.00 hours. Although the Council refers to measures to manage on-street parking on Mill Hey, and a residents permit parking scheme, there are no details of these schemes within the evidence.
8. The appellant has stated that they would inform guests of the parking limitations at the site, however, visitors arriving by car would need to offload their luggage. If this was by parking outside No 41 on double yellow lines, this would cause some congestion. Moreover, this would affect the safety of road users and pedestrians. Whilst some visitors would be prepared to park and pay in the car park nearby, others would not do so and therefore, would park in surrounding residential streets.
9. The appellant considers that the change of use to holiday lets would only require five spaces if there was maximum occupancy and this would only be one or two spaces greater than the existing use of the site. However, there is limited substantiated evidence as to the existing demand for parking from the current residential use and what the uptake in parking need would be.
10. Whilst there were available car parking spaces in Gas Street car park at the time of day that I visited, there is no evidence that there would be availability throughout the day and week. Additionally, the submitted evidence does not include how many parking spaces are in the area and, particularly in the evening when the demand would be greatest, whether there would be adequate spaces for both residents and visitors. However, several of the third-party comments, including those who live close to the site, refer to the difficulties of parking near their properties as a result of the existing number of holiday lets in the area, including on River Street and Mill Hey.
11. Visitors could arrive by public transport, as there are bus stops near to the site and Haworth railway station is a short walk away. However, the rail service from here to Keighley and Oxenhope stations varies throughout the year and there are only limited services each day. Although visitors could reach the site by bike, there is no bike storage shown on the proposed plans. Moreover, there is limited evidence that alternative forms of transport would be suggested to those visitors booking the holiday lets, so as to not add to the existing parking problems.
12. Haworth is a known tourist destination because of its literary associations and steam railway. Whilst this has resulted in a demand for short-term holiday rentals, and provides economic benefits to the town, there is no evidence as to whether there is a shortfall within Haworth as a whole.
13. The appellant has referred to planning permission having been granted for a change of use to 4 holiday lets at No 45-47 Mill Hey and No 19 River Street², close to the site. The site was a vacant café, maisonette flat and a dwelling. The Council's Highway Development Control Officer stated that it would result in a similar demand for parking, as opposed to a slightly higher demand at the appeal site. Although I have only limited evidence of this case, if the previous use was a

² Ref 23/01687/FUL

café, it would already have generated comings and goings throughout the day, many from people using a car to access it.

14. Despite this cited case, there is no parking for the proposed holiday lets at No 41 and there is insufficient capacity on the public highway in the vicinity of the appeal site. Therefore, the proposed development would exacerbate an existing problem in this area where there are terraced properties which have no allocated parking and an increasing number of holiday lets. The proposal would, therefore, lead to pressure on on-street parking and increase congestion.
15. I therefore conclude that based upon what I saw and the substantive evidence before me, it has not been demonstrated that the proposal would provide satisfactory parking arrangements, and this would affect highway safety. It would not comply with Policies DS4, DS5 and TR2 of the Bradford District Core Strategy Development Plan Document, 2017. These policies, collectively, and in part, seek to encourage sustainable travel and improve the quality of place with a design led approach to parking that does not harm the amenity of existing residents.
16. The appellant refers to paragraph 116 of the National Planning Policy Framework (the Framework). This states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, which I have found to be the case. The reference to 'severe' relates to the residual cumulative impact on the road network. I agree with the findings of the Council that the effect of the proposal would not be severe. Notwithstanding this, I conclude that the proposal would conflict with paragraph 116 of the Framework.

Other Matters

17. The appellant contends that the Council's use of the term 'likely' within their reason for refusal, is imprecise and subjective. Furthermore, they assert that the Council is inconsistent, because of the decision at No 45-47 Mill Hey and No 19 River Street and has over-exaggerated the effect of the proposal on car parking at the appeal site. However, these are the decisions of the Council and do not affect my determination of the appeal which is based on the evidence and what I saw on site.
18. The site is within 7km of the South Pennine Moors Special Area of Conservation (SAC) and Special Protection Area (SPA). Under the Conservation of Habitats and Species Regulations 2017 (the Regulations) the Council has done an appropriate assessment and considers that the site would have a likely significant effect on these designations with regards to the recreational impacts that have been identified. Whilst the measures to prevent adverse effects on the site proposal could be secured through the payment of a strategic mitigation fee, which the appellant has paid, I am dismissing the appeal on other grounds and so it is not necessary for me to consider this further.
19. Whilst other concerns regarding the use of the site for holiday lets has been identified by third parties, as I am dismissing the appeal on the main issue, these do not need to be considered.

Conclusion

20. The proposal would conflict with the development plan when taken as a whole and there are no other considerations, including the Framework, that outweigh the identified harm and associated development plan conflict.
21. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

M J Francis

INSPECTOR