



Appeal Decision

Site visit made on 27 October 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 November 2025

Appeal Ref: APP/W4705/W/25/3372673

1 Woodlands Close, Thornton, Bradford BD13 3NZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Khalid Akhtar against the decision of the City of Bradford Metropolitan District Council.
 - The application reference is 24/04875/HOU.
 - The application sought planning permission for conversion of former mill building (B2) to seven dwellinghouses without complying with a condition attached to planning permission reference 21/04750/FUL, dated 10 November 2021.
 - The condition in dispute is number 6 which states that: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any subsequent equivalent legislation) the integral garages within the dwelling(s) hereby permitted shall remain available for the purposes of garaging and no subsequent alterations to convert these garages to primary residential accommodation addition shall be carried out without the express written permission of the local planning authority.
 - The reason given for the condition is: To ensure these facilities remain for parking purposes, in the interests of amenity and highway safety and to accord with policies TR2, DS4 and DS5 of the Local Plan for Bradford.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on amenity and highway safety.

Reasons

3. The description of development on the application form relates to the conversion of the garage into habitable space. This is repeated by the council. However, the reason permission is required is that what is sought is prohibited by a condition attached to the original consent. To allow the use of the garage for uses other than garaging would require the removal or variation of the original condition. I have assessed the proposal on this basis.
4. The officer report advises that the original condition was included to stipulate that all garages must remain available for the purposes of garaging and no subsequent alterations to convert them shall be carried out without consent. The condition was included to ensure that each of the dwellings had sufficient capacity for off-street parking and to accord with policies TR2 and DS4 of the Core Strategy 2017 (CS).

5. This particular dwelling was designed as a four bedroom house with a long internal garage. It does not have any other formal parking provision. The red line of the application plan indicates an area in front of the garage and the front door of the house that belongs to the property. It is made up of a surfaced area that is edged by brickwork which defines the edge of the highway and this brickwork is common to the edge of the highway outside the other adjacent properties. Woodlands Close is a short cul-de-sac off James Street. It serves these houses and others, providing access to parking spaces and a wide area for turning. The other four properties that face Woodland Close within this conversion have a garage with a designated off-street parking space immediately outside each single garage.
6. During my visit, the appellant's car was parked outside the property, partly on the red line area, straddling the brickwork that forms the edge of the highway, with one wheel beyond the brickwork on the highway. The front of the car appeared to extend beyond the red line area into the area to the front of the neighbouring property. The appellant's photographs similarly demonstrate this arrangement. The car was set away from the front of the property, presumably to allow access to the front door. The neighbouring property has an allocated parking space as illustrated on the originally approved plans. A vehicle was parked in this space during my visit. With the two vehicles in place, there was only the slightest gap between the vehicles and insufficient room to access the neighbouring front door. The only access to the neighbouring front door was back around the appellant's car and across the frontage of the appeal property, through the red line area associated with the appeal dwelling. This arrangement represents particularly poor design, with regard to access, particularly for disabled and other users, but it also represents a particularly poor experience for both sets of residents when arriving at or leaving their property. It would also result in a poor outlook from the proposed room that would be in the existing garage.
7. The existing arrangement clearly requires the good will of the neighbouring residents as the car was partly outside the appellant's land ownership area and was restricting access over the neighbouring land. Whilst the car could be parked further back to allow access to the front of it, this would still remain a particularly poor arrangement. The development was not designed to accommodate parking as is currently happening and the space available is insufficient. Without the good will of the neighbour, which cannot be assured in the longer term should ownerships change, this arrangement, which is already entirely unsatisfactory, would become more difficult.
8. The alternative would be to park within the highway. It was evident that residents already park in the road close to the junction with James Street. This results in concerns with regard to access for refuse lorries and emergency service vehicles. Whilst parking is not controlled, this area is far from suitable for the existing and any likely increase in parking. Whilst the appellant may choose not to use the provided garage or his car may be too large for it, the current practice is not an appropriate long-term solution, and the loss of the garage would prevent future residents from using the property as designed. I am also not persuaded that this is a suitable location for a dwelling with no formal parking provision given its location, size and the nature of the access road.
9. The proposal would be unacceptable with regard to local amenity and would be likely to result in future issues with regard to access and highway safety. It would

also represent particularly poor design. It would conflict with the design objectives of CS policies DS4(D&E) and TR2(G) which seek an approach to highway design and car parking which supports the overall character of the place; and provides a pedestrian environment which is convenient and secure. It would also conflict with the expectation to meet the needs of disabled and other groups. The National Planning Policy Framework is clear that development that is not well designed should be refused.

10. Refence has been made to 2 Woodlands Close, but this is not comparable as that permission illustrated the availability of two off-road parking spaces. I also note the comments made about garages not being used for parking in the other nearby properties. This does not however support a proposal to remove this garage when no suitable formal parking space is available. Reference is made to parking being available in Kinder Close and other roads nearby. I found the surrounding roads to be equally constrained with regard to on-street parking or too distant to be convenient.
11. I have had regard to the matters put forward and the view that the garage is unsuitable for vehicle use. I also note that it has not previously been used and as such the proposal would not change the current situation. I am also mindful that neighbouring residents were consulted, and no objections were received from the immediate neighbour and support was offered from the resident of number 5. Whilst these are matters that weigh in favour of the proposal, they are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR