



Appeal Decision

Hearing held on 3 March 2026

Site visits made on 2 and 3 March 2026

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2026

Appeal Ref: APP/W4705/W/25/3376385

Former Site of Bingley Police Station, Bradford Road, Bingley, West Yorkshire BD16 1AH

- 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 McDonald's Restaurants Ltd against the decision of City of Bradford Metropolitan District Council.
- The application Ref is 24/04691/FUL.
- The development proposed is development of restaurant (Use Class E(b)) with drive-through facility and car parking, associated access, servicing, hard and soft landscaping and other associated works.

Decision

1. The appeal is allowed and planning permission is granted for development of restaurant (Use Class E(b)) with drive-through facility and car parking, associated access, servicing, hard and soft landscaping and other associated works at Former Site of Bingley Police Station, Bradford Road, Bingley, West Yorkshire BD16 1AH in accordance with the terms of the application, Ref 24/04691/FUL, subject to the conditions in the attached schedule.

Main Issues

2. The main issues are:
 - the effect of the proposal on highway safety and operational efficiency;
 - whether the proposed vehicle parking would be sufficient to meet the needs of the development; and,
 - the effect of the loss of on street parking facilities.

Reasons

3. The appeal site lies off Bradford Road, near to the crossroads formed by Main Street, Ferncliffe Road and the access road to Myrtle Court. The Council and the appellant are in agreement that the appeal site falls within the town centre boundary. Despite this, several written and oral representations made at the hearing contest this, with reference made to the draft Bingley Neighbourhood Plan. The draft neighbourhood plan seeks to redefine the town centre in a way that would exclude the site. During the hearing, it was clarified that the draft Plan has yet to reach formal examination and remains at a relatively early stage of preparation. As a result, whilst it may have been approved by residents in its initial form, it attracts only limited weight at this time. The Replacement Unitary

Development Plan 2005 (RUDP) clearly includes the appeal site within the designated town centre boundary, and the Council acknowledges that this designation is also carried forward into the emerging Local Plan.

4. In addition to relying on the adopted policy position, to allow me to make an appropriate assessment of the main issues of this appeal, I have undertaken my own assessment of the site context during my site visits. The appeal site follows a line of large commercial properties located between Bradford Road and the railway line which runs through Bingley. This site is also located along a main arterial route which serves Bingley. At the crossroads next to the appeal site, large commercial properties, including a supermarket to the opposite side of Main Street, are visible. The appeal site is located in the middle of these commercial areas, which is visibly and easily accessible from it. As such, my assessment leads me to the conclusion that the site functions as part of the town centre, both in terms of its physical relationship to surrounding uses and its position within the established urban pattern.

Highway safety and operational efficiency

Highway safety

5. The appeal site would be accessed via an existing priority-controlled junction onto Bradford Road, which would serve both ingress and egress movements. Following the completion of the proposed highway works, this access would be provided with visibility splays of 2.4m x 43m in both directions. Manual for Streets advises that for vehicle speeds of 30 mph, visibility splays of 2.4m x 43m are appropriate, and the proposal would therefore accord with these minimum standards. However, as the guidance in Manual for Streets is advisory rather than prescriptive for all scenarios, I undertook a practical assessment of the access arrangements during my site visits.
6. I was able to stand at the appeal site access and undertake direct observations of the proposed junction, the characteristics of the highway, and the manoeuvres required for vehicles entering and leaving the site. I recognise that such observations represent only a snapshot in time. However, I conducted 3 separate site visits at different times of the day. On each occasion, traffic along Bradford Road was not notably congested, including during the visit undertaken around local school finishing times. In the absence of significant traffic, vehicles were able to travel at speeds higher than 30 mph should drivers choose to exceed the speed limit. In the interests of undertaking an assessment from a highway safety perspective, this provides a good context for such an assessment on this specific matter.
7. When viewed from the appeal site access, the highway falls away from the direction of the signal-controlled junction adjacent to the site. This gradient then levels out before the carriageway curves gently to the right further along Bradford Road. Vehicles travelling along this section of Bradford Road were readily visible, and I experienced no material difficulty in observing approaching traffic.
8. When exiting the appeal site, drivers would have clear visibility along Bradford Road in both directions, taking into account the proposed visibility splays. When turning left, this level of visibility would enable drivers to wait safely for approaching traffic to pass before emerging. It would also provide sufficient distance for vehicles to accelerate up to the posted 30 mph speed limit should

another vehicle appear within the visibility envelope. In practical terms, the time required for a vehicle to accelerate to 30 mph is modest and would not be so great as to impede a driver approaching from the direction of the signal-controlled crossroads, nor would it give rise to an unacceptable risk to highway safety.

9. Representations have been made suggesting that vehicles turning left from the appeal site could compromise the safe exit of vehicles emerging from Sycamore Avenue. While the distance between these access points is relatively short, such a conflict would require both vehicles to exit at a precise and specific moment and at an inappropriate speed for this to materialise. It is also relevant that, once a vehicle from the proposed development has entered the highway, any vehicle wishing to turn right from Sycamore Avenue would, in accordance with the Highway Code, be required to wait until the vehicle has passed this junction.
10. When turning right from the appeal site, drivers may be required to wait for longer periods at the access in order to allow vehicles travelling in both directions along Bradford Road to pass. By its nature, this manoeuvre represents the most demanding in terms of highway safety, as it involves crossing a live traffic lane from the site access and the proposed ghost right-turn lane. However, the visibility splays provided, the posted speed limit at this location, and the proximity of the signal-controlled junction would collectively create regular gaps in the traffic flow, with approaching vehicles generally travelling at relatively low speeds. These factors would enable drivers to undertake the right-turn manoeuvre safely in most circumstances.
11. During peak periods, it is possible that vehicles wishing to turn right may be temporarily prevented from doing so by traffic queuing within the ghost right-turn lane. In such instances, drivers may need to wait longer than usual, or alternatively may choose to turn left instead. During my site visits, I observed that the configuration of the surrounding highway network would allow such drivers to reach their intended direction of travel via a short diversion, for example by turning left onto Leonard Street and then continuing onto Ferncliffe Road.
12. When assessing vehicles entering the appeal site, I acknowledge that drivers turning right into the access may need to wait for approaching traffic travelling from the direction of the signal-controlled crossroads. However, the proposed upgrade to the Bradford Road access includes the provision of a dedicated ghost right-turn lane. This would allow right-turning vehicles to wait within a segregated area, thereby preventing any queuing or obstruction to through-traffic, and requiring drivers only to wait for a single lane of opposing traffic to clear. In practical terms, this represents a routine driving manoeuvre.
13. Vehicles turning left into the appeal site would be required to reduce speed to enter safely, with following vehicles similarly needing to slow. Given the posted 30 mph speed limit at this location, such deceleration would not give rise to an unacceptable risk to highway safety.
14. The Transport Assessment (prepared by AMA, dated 28 November 2024) also includes an analysis of personal injury collision records in the vicinity of the appeal site. It identifies that only 1 incident was recorded in the 5-year period prior to its submission. My review of the incident narrative indicates that it occurred a considerable distance from the proposed access and involved an atypical set of circumstances, namely a pedestrian being struck by a vehicle that was reportedly

accelerating towards them and subsequently failed to stop. I acknowledge that the Transport Assessment was prepared in 2024 and that further incidents could theoretically have occurred since that time. For this reason, during the hearing I sought clarification from the parties as to whether any additional collisions had been recorded. It was stated that no further incidents had occurred.

15. On the basis of the evidence before me, there is nothing to suggest that this section of Bradford Road presents an inherent safety problem in its existing form, nor that the proposed development would exacerbate any such risk. Furthermore, the findings of my site visit assessments indicate that the access point into the appeal site would not pose a risk to highway safety.

Operational efficiency

16. My attention is now drawn to how the development would affect the operational efficiency of the local highway. The evidence before me contains various predicted modelling assessments.
17. The Transport Assessment presents the theoretical operational capacity of both the site access junction and the Main Street crossroads, using a 2029 baseline traffic scenario inclusive of the proposed development. During the hearing, it was clarified that a ratio of flow to capacity (RFC) of 1 would indicate the onset of significant queuing. The evidence before me demonstrates that, at the Saturday peak, the RFC would be 0.24 at the site access and 0.14 at the Main Street junction. These figures indicate that both access points are expected to operate comfortably within their theoretical capacity, with only minimal queuing and delay anticipated.
18. A junction capacity assessment submitted as part of the evidence provides further detail on this matter. It identifies that the development would generate 21 two-way vehicle movements through the Main Street crossroads during both the AM and PM peak periods, and 27 two-way movements during the Saturday peak. Table 2 of the Transport Assessment sets out the existing operational capacity alongside the 2029 forecast scenario inclusive of the development. Based on this modelling, the mean maximum queue at the Main Street junction, located just beyond the appeal site and representing the likely direction of travel for vehicles associated with the development, is predicted to be 14 vehicles in 2029. With the development included, this would increase marginally to 15 vehicles. On this basis, the modelling demonstrates that the development would have a negligible effect on the operation of this junction.
19. However, I am mindful that the evidence presented is derived from theoretical modelling. While such modelling provides a useful indication of the likely effects of the proposed development, I place particular weight on the real-world implications once the scheme becomes operational, and how it may influence day-to-day movement patterns across Bingley.
20. Across the 3 visits I undertook, at different times of day and for sustained periods, traffic rarely reached a level that could reasonably be described as heavily congested, particularly along Bradford Road. There were occasions when queues formed along Main Street in advance of the crossroads, caused by red signals at the junctions with Myrtle Place and Chapel Lane further along Main Street. This happened during the time where my visit coincided with school finishing times. This led to some temporary queuing at the nearby crossroads. This is to be

expected at a signal-controlled junction. However, these queues dissipated quickly, and in my judgment did not amount to an unacceptable level of congestion.

21. However, I am mindful of the images submitted by an interested party in their written representations, which show traffic queues extending beyond the point I observed during my site visits. Notably, the dates on these images indicate that 2 of them were taken in late December 2025, a period that can reasonably be regarded as the run-up to the festive season, when increased travel and congestion are commonplace as individuals prepare for the holidays. This suggests that traffic queuing at this location is subject to variation, influenced not only by the time of day but also by the time of year.
22. The appeal proposal includes a drive-through facility. Once drivers commit to entering the drive-through lane, they have no option but to remain within it until reaching the collection point. During periods of heightened activity, such as peak trading times or the release of new products, the drive-through may experience increased demand, resulting in vehicles queuing within the lane. Given the layout of the proposal, there is potential for these queues to extend back towards Bradford Road if the facility became particularly busy, which could in turn lead to congestion along this section of the highway.
23. The Transport Assessment indicates that the maximum queue within the drive-through during the Saturday peak, its predicted busiest period, would be 9 vehicles. During the hearing, the appellant was asked to clarify the realistic capacity of the drive-through lane from its entrance to the collection booth. The parties agreed that approximately 18 vehicles could be accommodated, representing double the theoretically predicted Saturday peak queue. It was also confirmed at the hearing that McDonald's typically operates with a target drive-through wait time of around 90 seconds. Accordingly, even if queues were to exceed 18 vehicles, they would be expected to move forward relatively quickly, meaning any queuing that extended beyond the drive-through lane would likely be short-lived.
24. In returning to my earlier assessment of highway safety, I concluded that vehicles wishing to turn right may, at times, be temporarily prevented from doing so by queues forming within the ghost right-turn lane. This could result in vehicles queueing back through the car park from the exit during busier periods. At the hearing, the parties were asked to clarify the number of vehicles that could be accommodated between the site exit and the exit of the drive-through. The appellant estimated a capacity of 13 vehicles, while the Council suggested a slightly lower figure of 11. Although the parties did not reach agreement, it is evident that a substantial number of vehicles, exceeding the predicted Saturday peak, could be accommodated within this internal section of the site. Whilst also considering vehicles parking to dine within the restaurant which may wish to leave at the same time, given the generally likely efficient movement of traffic when exiting the site overall and the capacity within the appeal site for vehicles, I am not persuaded that this would give rise to congestion of a severity that would materially harm the operation of the wider highway network.
25. During the hearing, reference was made to the potential effect of the development in circumstances where the bypass running around Bingley towards Keighley is closed. It was suggested that such closures lead to traffic building up around the

appeal site, given its position on a main arterial route serving a range of destinations. In my view, this does not demonstrate that the proposed McDonald's would be the cause of such congestion. In the event of a bypass closure, this section of the highway network would experience congestion irrespective of whether the appeal proposal was present.

Concluding remarks

26. In considering this main issue, I have taken account of scenarios in which the development may, in practice, attract more vehicles than predicted. While such circumstances may arise. Even if I were to accept that the development might not always operate in the theoretically optimal manner assumed in the modelling submitted, the National Planning Policy Framework (the Framework) provides the relevant test at paragraph 116. It states that development should only be prevented or refused on highways grounds where it would result in an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network, following mitigation and taking account of all reasonable future scenarios, would be severe.
27. To conclude, based on my assessment of the evidence before me, as well as a practical assessment based on the 3 separate site visits undertaken, at different times of the day, my professional judgment leads me to the conclusion that the effect of the development would not have an unacceptable impact on highway safety, or a severe impact on the road network. Overall, I conclude that the proposed development would be in accordance with the requirements of the Framework.
28. To assess this main issue, the Council has concluded against Policy DS4 of the Bradford Core Strategy 2017 (CS). In my assessment of this policy, it is apparent that this seeks for development proposals to take the opportunity to encourage people to walk, cycle and use public transport. It does not explicitly focus on highway safety or its operational efficiency. I have therefore had specific regard to the Framework in my assessment of this matter.

Parking

On-site parking provision

29. Policy TR2 of the CS states at point A that parking provision for new development should be assessed against the indicative standards set out in Appendix 4 of the CS. It further provides that, in highly accessible locations, such as principal town centres like Bingley, the number of parking spaces should be reduced to the minimum operational requirements. Appendix 4 clarifies that minimum operational requirements refer to the parking necessary for a development to function effectively, as identified within a Transport Assessment, including operational parking spaces, loading bays, and disabled parking provision.
30. The Council and the appellant confirmed at the hearing that the proposed development would provide a total of 24 vehicle parking spaces. This would comprise 18 standard spaces, 2 Blue Badge spaces, 2 electric vehicle charging bays, and 2 "reserve grill" bays, forming the full parking provision associated with the scheme.

31. The Transport Assessment identifies the anticipated parking demand associated with the proposed development. It concludes that peak demand would reach 20 vehicles on a typical Friday and 24 vehicles on a Saturday, alongside the need for a dedicated servicing area. On this basis, the scheme would satisfy its minimum operational parking requirement.
32. While the proposed provision may meet the minimum operational threshold in principle and therefore the requirements of Policy TR2 of the CS, there are likely to be periods of heightened activity. Instances such as the release of new products or the availability of item promotions could generate additional customer demand, particularly at peak times. These scenarios may, in reality, place pressure on the parking supply beyond the levels modelled in the Transport Assessment.
33. Yet, for a use like this, one must be mindful of typical user behaviour. Customer behaviour would be influenced by the availability of on-site parking. If the car park were to reach capacity and customers wanted to eat within the restaurant, they would be faced with a limited set of choices. They would find an alternative parking location and walk to the development or proceed through the drive-through facility and consume their purchase elsewhere, such as at home or at their workplace. Alternatively, they may choose to leave the site without making a purchase. I am therefore not of the view that even if parking demand was to outstrip the available supply, that this would occur at such a frequency, or have such a harmful impact that it would be particularly harmful in this context.
34. The appeal also site occupies a highly accessible position within Bingley town centre. It lies within a short walking distance of bus stops on Main Street and Ferncliffe Road, which provide access to several services identified in the Transport Assessment. The site is also located close to Bingley railway station, which can be reached on foot. The Transport Assessment highlights the high frequency of rail services operating between Bingley and destinations including Leeds, Skipton and Shipley, further reinforcing the site's strong public transport connectivity.
35. Concerns were raised both during the hearing and within the written representations that the proposed parking provision would be insufficient once staff parking during operational hours is taken into account. The Interim Travel Plan (prepared by AMA, dated 28 November 2024) identifies a predicted workforce of around 20 employees. Drawing on survey evidence from comparable outlets, it estimates that approximately 5 staff members would be likely to travel to work by car. Given the appeal site's central location within Bingley and the proximity of surrounding residential areas, it is reasonable to expect that a significant proportion of staff would instead travel on foot or by bicycle, of which bicycle parking would also be provided.
36. The appellant explained that Automatic Number Plate Recognition (ANPR) cameras would be used to enforce a maximum stay period within the car park. As a result, staff would be unlikely to use the on-site parking during their shifts, as doing so would exceed the permitted duration and incur a penalty. Staff parking demand would therefore be displaced to public car parks elsewhere within Bingley. During my site visits, I observed that other large premises in the town, including local supermarkets, also operate time-limited parking arrangements, typically around 90 minutes, monitored by ANPR systems. This approach is therefore a common and established method of managing parking in this town-centre context,

ensuring fair turnover of spaces and preventing misuse. The appellant also noted that typical staff shift lengths would exceed the maximum stay period, further reducing the likelihood of staff occupying customer parking spaces.

37. An interested party argued at the hearing that it would be unreasonable to expect staff to pay for parking elsewhere. However, I observed that a considerable number of commercial premises within Bingley town centre do not benefit from dedicated staff parking. Employees of those businesses are therefore required to make their own parking arrangements within the town. There is no clear justification for treating the appeal proposal differently in this regard. My attention is also drawn to Figure 1 of the Highways Appeal Statement (prepared by AMA, dated 25 November 2025), which identifies the range of alternative parking options available throughout Bingley. During my site visits, I inspected these car parks and noted that they offer varying time limits and charging structures.
38. I am therefore not persuaded that, even if the number of staff travelling to the site by car were to exceed the predicted figure of 5, the proposed parking arrangements would be inadequate. Given the use of ANPR enforcement at the appeal site, staff would be unable to remain parked for the duration of a typical shift without incurring a penalty. It is highly likely, in these circumstances, that staff would instead utilise the longer-stay, pay-and-display car parks available within Bingley. The town centre contains a notable number of such facilities, providing realistic and accessible alternatives for staff parking.
39. Written representations have also suggested that insufficient consideration has been given to delivery drivers attending the premises to collect orders placed via an online app. In my experience, such drivers tend to arrive throughout the day, often in clusters, which can create additional and sometimes concentrated demand for parking.
40. Delivery drivers would be subject to the restrictions imposed by the ANPR system. In terms of parking availability, if the car park were particularly busy, drivers would be required to make use of alternative parking provision within Bingley, such as the on-street parking that would remain available on Bradford Road or the public car park located to the rear of the appeal site. They would then be required to walk to the proposed development, as would any individual arriving during periods of exceptionally high demand.
41. To conclude, the proposed development would meet the requirements of Policy TR2 of the CS and the guidance found within appendix 4 of the CS, which is focused on vehicle parking provision. This policy and guidance seek to manage car park through various mechanisms.

Loss of on-street parking provision

42. The development would result in the removal of 15 on-street parking spaces along Bradford Road. This figure is based on an assumed length of 6 metres per space, reflecting efficient parking. New parking restrictions, in the form of yellow line markings, would also be introduced within the carriageway. During my site visits, I observed that the existing on-street spaces operate on a 90-minute free-parking basis, subject to specified time restrictions.
43. Written representations have been made which suggest that this parking provision is heavily used by visitors to the residential buildings opposite the appeal site.

During the hearing, it was also contended that these spaces were utilised by individuals undertaking quick stops, to get their lunch during the working day, for example. There is considerable local opposition to the loss of these spaces.

44. The appellant has provided evidence identifying other areas of on-street parking and public car parks within a 500-metre catchment of the appeal site. My focus is on the on-street provision referenced in this material. During the hearing, the parties were asked to clarify the parking restrictions in these locations and whether they mirrored those that would be lost as part of the proposal. It was accepted that the restrictions vary, although some locations do operate under the same regime as the spaces to be removed. I visited these alternative on-street parking areas during each of my site visits. In certain locations, such as the road network to the south-west of the appeal site, the availability of parking was mixed. Given the prevalence of terraced housing in these streets, a notable level of car ownership and associated on-street parking demand is to be expected.
45. I am also mindful that the proposed changes would not result in the complete removal of on-street parking along Bradford Road. A number of spaces would remain, thereby continuing to provide some level of parking in this location. While my 3 site visits represent only a snapshot in time, at no point did I observe this line of spaces to be heavily subscribed. On each occasion, a substantial number of spaces were available, with most users appearing to stop only briefly before returning to their vehicles and leaving.
46. Overall, I am satisfied that there is sufficient provision within the wider locality for vehicles to be parked for short periods. The removal of the on-street spaces on Bradford Road is required to meet highway design standards and to facilitate the delivery of a new cycle lane along this corridor. Policy TR2 of the CS, at criterion C, expressly supports the reduction of on-street parking in town centres and other highly accessible locations in order to encourage a shift towards sustainable travel modes, including improved walking and cycling networks. The proposed development, and in particular the associated changes to the surrounding highway network, would therefore accord with this specific policy requirement. In this context, this main issue involves balancing competing priorities between promoting sustainable travel and accommodating those who wish to continue using private vehicles in highly accessible environments. This is an approach that would, in itself, run counter to the objectives of the CS.

Other Matters

47. I acknowledge that there has been significant local opposition to the appeal proposal, as evidenced by the many letters of objection, including from a local MP and various councillor submissions which I have read in full. The Council has not raised objection on these grounds through their official decision notice. Nevertheless, I have considered the relevant concerns expressed in the light of the evidence presented with regard to the development plan. I have formed a view on the objections raised both in writing and during the hearing. Whilst many of these objections are worded differently, I have grouped them and have formed a view on each broad matter.

Character and appearance

48. Comments have been made that a McDonald's, and the proposed design of the building, would be out of keeping with the character of Bingley. However, during my site visit it was evident that modern, flat-roofed commercial buildings form an established part of the local townscape, including those within the Five-Rise shopping complex and the supermarket opposite. Concerns were also raised that a McDonald's, as a national chain, would detract from a town noted for its independent retailers. Yet in close proximity to the appeal site there are already several national food operators, including Greggs, Subway and Papa John's. I therefore conclude that both the design of the proposed building and its intended use would be consistent with the existing built form and commercial presence in this part of Bingley.

Living conditions

49. Opposite the appeal site there is a concentration of residential properties, and a significant number of representations have raised concerns regarding the effect of the proposal on the living conditions of these occupants. In respect of light and overlooking, the introduction of a building and associated activity would inevitably create a greater visual presence than the long-vacant site. However, given the overall height of the proposed building and the degree of separation between it and the neighbouring dwellings, I see no substantive reason to disagree with the Council's view that the living conditions of these residents would not be materially harmed.
50. Concerns were also raised regarding the potential for car headlights to shine into nearby windows as vehicles exit the site. I note the distance between the site access and these properties, as well as the presence of boundary walls and other frontage treatments which would assist in helping to diffuse or block this light.
51. With regard to noise and odour, I note the Council's conclusion that the submitted assessments are acceptable, and that the proposed development would not give rise to unacceptable effects in relation to these matters. Having considered their findings, together with the separation between the proposed building and the nearest residential properties, I am satisfied that the development would not give rise to unacceptable effects in these respects. I am also mindful that this is a town centre location. Such areas are typically more vibrant environments where vehicle movements, noise, lighting, and odours associated with restaurant and takeaway uses are part of the established character. During my site visits, several comparable uses were evident in the vicinity.

Health

52. Concerns have also been raised regarding the impacts of the proposal on health, and the proximity of the appeal site to several local schools, with the suggestion that students would pass the site daily. Reference was made, both in written representations and at the hearing, to a decision in York where a McDonald's was refused on health grounds. Paragraph 97 of the Framework does indeed state that applications for hot food takeaways should be refused where they fall within walking distance of schools. However, this restriction does not apply to proposals located within designated town centres. As the appeal site lies within Bingley town centre, the proposal is exempt from this particular limitation.

53. The proposed building would also include a substantial restaurant element, with a significant number of tables for customers dining on the premises. While takeaway sales will occur, the nature of the operation differs materially from that of a typical hot food takeaway. In reality, I am content with the suggestion that McDonalds food can reasonably be described as inherently unhealthy, despite the presence of 'healthy' options available on a McDonalds menu. Nevertheless, the planning system is not responsible for regulating the nutritional content of food itself.
54. Given the town centre location and the explicit exemption within the Framework, there is no basis to dismiss the appeal on health-related grounds. Ultimately, the decision to purchase food from this establishment is a matter of individual consumer choice.

Need

55. I am aware that McDonald's restaurants already operate in the neighbouring towns of Keighley and Shipley. Given the strong transport connections between these centres and Bingley, the appeal proposal would be located broadly between these existing outlets. Representations have therefore suggested that a further McDonald's is unnecessary, as those wishing to purchase food from the chain could either travel a short distance to these locations or arrange for delivery.
56. However, the appellant has provided clear evidence explaining the rationale for locating an additional outlet in Bingley. The Economic Statement (prepared by Lichfields, dated December 2024) identifies local population catchment as a key parameter in determining the viability of a new restaurant, noting that, as a general guide, a minimum population of around 15,000 within an 8-minute drive time is typically required. In this case, the appellant identifies Bingley as a standalone market with a population of approximately 16,935. Furthermore, modelling indicates that an 8-minute drive-time catchment encompasses a population of 31,690. This is more than double the threshold ordinarily sought to support a viable outlet. Based on this evidence, I am satisfied that there would be sufficient demand to support a McDonald's in Bingley. No compelling evidence has been presented to contradict these findings

Employment practices

57. Representations have also raised concerns regarding alleged employment practices within some McDonald's branches, citing harmful working environments. Such matters relate to the conduct of individual operators at specific locations and must be addressed through the appropriate channels by those directly involved. It is not the role of the planning system to remedy alleged employment issues that may have arisen elsewhere. Similarly, concerns have been expressed about McDonald's as an international corporation, including allegations relating to its wider tax practices. These matters fall outside the remit of the planning process, which is not responsible for policing or adjudicating on such issues.

Competition

58. Concerns have also been raised that the development would harm local businesses by introducing unfair competition and reducing their income. However, I have been given very little evidence to support this claim. Local independent businesses are indeed an important asset to any town, contributing to its distinctiveness and character. However, as previously outlined, the appellant has

provided a clear rationale for selecting this location, principally based on population catchment and the viability thresholds typically applied to new outlets.

59. The appellant considers Bingley to be a viable market for this enterprise. Whether residents choose to patronise the proposed development or continue to support existing local businesses is ultimately a matter of personal choice. It is not the role of the planning system to manage or restrict competition, nor to intervene in local economic conditions to ensure that particular businesses thrive. Competition is not a valid planning reason to refuse permission.

Anti-social behaviour

60. Concerns have been raised that the presence of a McDonald's could lead to anti-social behaviour and crime. The fear of crime can be a material consideration in planning decisions, but it must be supported by a reasonable and evidence-based foundation. I note that some representations refer to incidents at other McDonald's branches in the wider area. Although it is realistic to acknowledge that incidents of this nature can occur at premises of this type, I also note the steps taken by the appellant to address these concerns through the submission of a Crime Impact Statement (prepared by Lichfields, dated 23 April 2025).
61. This statement outlines a range of design features and operational measures intended to reduce opportunities for crime and anti-social behaviour. It would be unreasonable to expect that any development of this nature could eliminate the risk of crime entirely. However, the measures set out in the Crime Impact Statement demonstrate that the design and management of the scheme would go some way towards minimising such risks in this location.

Litter

62. Concerns have been expressed by local residents about the level of litter from fast food takeaways. Whilst I accept that this can be a problem, it is not limited to the appeal proposal, which would provide litter bins on the site. Some suggest that the operator's proposed litter-picking regime may not be carried out effectively or that the radius covered would be insufficient. However, there is no convincing evidence before me to demonstrate that this single development would, in itself, lead to an unacceptable level of litter. The operator cannot be refused planning permission based on the behaviour of its customers once they have left the appeal site.

Non-material considerations

63. Comments have been made that suggest that this would be better suited to housing proposals. I must judge the appeal proposal based on its merits, not on what may be a better alternative use of the appeal site. The effect of the proposed development on house prices or views are not material planning considerations.

Benefits of the scheme

64. However, there have also been expressions of support for the proposal. Interested parties in support have referenced that the proposed development would lead to an increase in jobs, an increase in expenditure in Bingley, would utilise a previously developed site within a town centre and general charitable work the brand undertakes in local areas around their restaurants. While I have found no

harm or policy conflict in relation to the main issues of this appeal, these wider benefits add further weight in favour of the proposal.

Conditions

65. I have considered the conditions discussed at the hearing. These were based on a list of suggested conditions made by the Council, along with further conditions I have considered in my assessment of this appeal.
66. Conditions regarding the standard timescales [1] and referring to the plans [2] are necessary in the interests of expediency and certainty. To safeguard the living conditions of neighbouring occupants, a condition which requires the arrangements for the management of the construction site [3] is necessary.
67. To ensure that the development is suitable for its end use, conditions which require the undertaking of an environmental site investigation [4], the submission of a remediation strategy [5] and the submission of a verification report [6] is necessary. A condition which stipulates the measures to deal with unexpected contamination [7] is necessary to ensure that all contamination is appropriately dealt with where found. To ensure that contamination is not brought to the appeal site, a condition which requires the submission of a methodology for the quality control of any material [8] is also necessary.
68. To ensure that the materials to be utilised in the development are appropriate to the character and appearance of the area, a condition which requires for an arrangement to be made for the inspection of all external facing materials [9] is necessary. To ensure that the site is well connected prior to the development being brought into use, conditions which require the access to be laid out and hard surfaced [10], along with a condition which requires the visibility splays to be in situ [11] and the parking spaces to be laid out [12] is necessary to ensure a safe operation of the highway and the appeal site.
69. A condition has been imposed which requires any external lighting to be installed in accordance with the specification shown within a specific report and drawing [13]. This is necessary to minimise the effect of lighting upon the living conditions of neighbouring occupants. To ensure a positive visual appearance of the site, a condition which requires the implementation of hard and soft landscaping proposals in accordance with the approved plans schedule [14] is necessary. During the hearing, the Council requested that for any proposed planting within 2m of the highway, that a barrier is provided to reduce the possibility of any planting affecting it. The appellant was content with this addition to the condition. In the interests of preserving the condition of the highway, I have included this suggestion.
70. A condition which prevents work being undertaken during certain months, unless a check is undertaken by a competent ecologist who shall provide written confirmation that no birds will be harmed, or that appropriate measures are in place to protect nesting birds on site [15] is necessary in order to ensure that wildlife is safely accommodated during the construction of the scheme. Including a condition which requires a bat roost and bird nest feature to be included within the site [16] is necessary to ensure the enhancement of the site for these animals.
71. A restriction on operational opening hours [17] for both customers and deliveries is necessary to safeguard the living conditions of nearby residents. A requirement for

the development to be carried out in accordance with the submitted assessments in relation to odour [18] and noise [19] is necessary to protect the living conditions of neighbouring occupiers.

Conclusion

72. For the reasons given above, I find that the proposal would be in general accordance with the development plan as a whole and would represent sustainable development in accordance with the Framework. Therefore, having regard to all relevant matters raised, I conclude that the appeal should succeed.

J Smith

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby approved shall only be carried out in accordance with the approved plans listed below:
 - Location Plan 11674_AEW_2580_1001 REV A
 - Block Plan 11674_AEW_2580_1002 REV E
 - Existing Site Plan 11674_AEW_2580_1003 REV A
 - Proposed Site Plan 11674_AEW_2580_1004 REV E
 - Proposed Building Elevations and Sections 11674_AEW_2580_1005 REV C
 - Proposed Floor and Roof Plans 11674_AEW_2580_1006 REV B
 - Lighting Schedule DWG 01 REV 3
 - Landscaping Plan 11674-AEW-2580-1015 REV E
 - Planting Plan N1498-ONE-ZZ-XX-DR-L-0201-P13
- 3) Notwithstanding the provision of Class A, Part 4 of Schedule 2 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent legislation, the development hereby permitted shall not be begun until a plan specifying arrangements for the management of the construction site has been submitted to and approved in writing by the Local Planning Authority. The construction plan shall include the following details:
 - full details of the contractor's means of access to the site including measures to deal with surface water drainage;
 - hours of construction work, including any works of demolition;
 - hours of delivery of materials;
 - location of site management offices;
 - location of materials storage compounds, loading/unloading areas and areas for construction vehicles to turn within the site;
 - car parking areas for construction workers;
 - a wheel cleaning facility or other comparable measures to prevent site vehicles bringing mud, debris or dirt onto a highway adjoining the development site;
 - the extent of and surface treatment of all temporary road accesses leading to compound/storage areas and the construction depths of these accesses, their levels and gradients;
 - temporary warning and direction signing on the approaches to the site.

The construction plan details as approved shall be implemented before the development hereby permitted is begun and shall be kept in place, operated and adhered to at all times until the development is completed. In addition, no vehicles involved in the construction of the development shall enter or leave the site of the development except via the temporary road access comprised within the approved construction plan.

The development shall be carried out in accordance with the approved details.

- 4) Prior to the commencement of construction of the development hereby approved, a proportionate intrusive investigation (Phase 2 geo-environmental site investigation)

must be completed. A written report, including a remedial options appraisal scheme, shall be submitted to and approved in writing by the Local Planning Authority.

- 5) Prior to the commencement of construction of the development hereby approved, a detailed remediation strategy, which removes unacceptable risks to all identified receptors from contamination, shall be submitted to and approved in writing by the Local Planning Authority. The remediation strategy must include proposals for verification of remedial works. Where necessary, the strategy shall include proposals for phasing of works and verification. The strategy shall be implemented as approved.
- 6) Prior to the completion of the development, a remediation verification report, including where necessary quality control of imported soil materials and clean cover systems, prepared in accordance with the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority.
- 7) If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area, and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 working days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.
- 8) A methodology for quality control of any material brought to the site for use in filling, level raising and landscaping shall be submitted to, and approved in writing by the Local Planning Authority prior to materials being brought to site.
- 9) Before development above the damp-proof course commences on site, arrangements shall be made with the Local Planning Authority for the inspection of all external facing materials to be used in the development hereby permitted. The samples shall then be approved in writing by the Local Planning Authority and the development constructed in accordance with the approved details.
- 10) Before any part of the development is brought into use, the proposed means of vehicular and pedestrian access hereby approved shall be laid out, hard surfaced and drained within the site in accordance with the approved plan numbered 11674-AEW-2580-1004 REV E received by the Council on 10 March 2025 and completed to a constructional specification approved in writing by the Local Planning Authority.
- 11) Before any part of the development is brought into use, the visibility splays hereby approved on plan number 11674-AEW-2580-1004 REV E shall be laid out and there shall be no obstruction to visibility exceeding 600mm in height within the splays so formed above the road level of the adjacent highway.
- 12) Before any part of the development is brought into use, the proposed car parking spaces shall be laid out, hard surfaced, marked out into bays and drained within the curtilage of the site in accordance with the approved plan numbered 11674-AEW-2580-1004 REV E. The car parking facilities shall be kept available for the lifetime of the development.
- 13) Any external lighting shall only be installed in accordance with the specification shown on the submitted Lighting Impact Assessment Report prepared by LAUK,

dated 18 November 2024 and shown on drawing DWG 01 received by the Council on 5 December 2024. The lighting installed shall be retained for the lifetime of the development.

- 14) In the first planting season following the completion of the development, or in accordance with an alternative timetable for implementation that has been agreed in writing by the Local Planning Authority, the hard and soft landscaping proposals forming part of the approved plans schedule shall be implemented in accordance with the submitted specifications and details. For any trees planted within 2 metres of the highway, a barrier between the tree and the highway shall be provided.

Any trees or plants comprising the approved landscaping that become diseased or die, or which are removed or damaged within the first 5 years after the completion of planting shall be removed and a replacement landscape planting using the same or similar species/specifications shall be planted in the same position no later than the end of the first available planting season following the demise of the original landscape planting.

- 15) No removal of hedgerows, trees or shrubs shall be carried out between the months of 1st March and 31st August, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active bird nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed, or that appropriate measures are in place to protect nesting birds on site. Any written confirmation shall be submitted to and approved in writing by the local planning authority.
- 16) The site shall include a minimum of one bat roost feature and one integral bird nest feature, the details of which shall be submitted to and approved in writing by the local planning authority prior to the development being brought into use. All bat/bird habitat enhancement features shall be retained thereafter for the lifetime of the development.
- 17) The premises shall only be open for customers and deliveries between 6am and midnight. No customer or delivery personnel shall be served or otherwise make use of the premises outside of these hours.
- 18) The development hereby permitted shall be carried out in accordance with the details contained in the submitted Odour Control Assessment (prepared by CDM Partnership, REV A, dated 5 Nov 24). The measures included in this document shall be fully implemented prior to the commencement of the use hereby permitted and be permanently maintained thereafter in accordance with the approved details.
- 19) The development hereby permitted shall be carried out in accordance with the details contained in the submitted Noise Assessment (prepared by njd Environmental Associates, dated November 2024, Ref: NJD24-0101-002R). The measures included in this document shall be fully implemented prior to the commencement of the use hereby permitted and shall be carried out for the lifetime of the development.

Appearances

FOR THE APPELLANTS:

James Pereira KC	Francis Taylor Building Chambers
Jonathan Wallace	Lichfields
Lucy Sime	Lichfields
Andrew Moseley	Andrew Moseley Associates Ltd
Annie Newman	McDonald's Restaurants Ltd

FOR THE COUNCIL:

Lucie Finningham	Senior Planning Officer
John Rowley	Principal Highway Engineer

INTERESTED PERSONS:

Joe Wheatley	Bingley Ward Councillor
David Smith	Local Resident
Darren Marshall	Local Resident