
Appeal Decision

Site visit made on 30 April 2015

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 May 2015

Appeal Ref: APP/A4710/W/15/3007712

Temporary Car Park at Former Hebden Bridge Fire Station, Valley Road, Hebden Bridge, HX7 7BX

- 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 Eshton Gregory (Hebden Bridge) Limited against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 13/01542/FUL, dated 10 December 2013, was refused by notice dated 17 September 2014.
 - The development proposed is redevelopment of land to provide a mixed use development comprising: A) Ground Floor A1 unit with additional ancillary space at first floor, with three apartments; and B) Five townhouses.
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Decision

1. The appeal is dismissed.

Main Issues

2. I have read the various submissions made in relation to the proposal, including the main parties' statements. Although the Council's reason for refusal does not specifically mention the issue of parking, it is a concern for many of those who commented on the application. It is also a matter which the appellant has specifically responded to in his statement of case.
3. Accordingly, I consider the main issue for the appeal to be the effect of the proposal on highway safety, including the loss of parking.

Reasons

4. The site lies close to the town centre, adjacent to the Market Place. It is surrounded on three sides by relatively narrow streets, which are subject to controlled parking. The site has previously had consent for use as a car park and at the time of my visit was also being used for parking. It is surrounded by a mix of retail, office, residential and community uses.
5. I visited the site mid-morning on market day. The temporary car park was fully parked, as were the controlled bays on the surrounding streets¹. Further along Hangingroyd Lane cars were parked along both sides of the road. This effectively made the road a single carriageway and cars and vans were required to wait at the top end of Hangingroyd Lane, next to the appeal site, to enable traffic approaching from the direction of Linden Road and Baker Street

¹ This was with the exception of those cordoned off to the front of the development site.

to get through. Therefore, although I note the appellant's submission in relation to parking availability in the area, at the time of my visit the area in and around the site was experiencing significant parking pressure, and this was leading to congestion on the surrounding streets, which impeded the free flow of traffic. This is confirmed by the views of the Council and local residents who have also reported parking pressure in the area.

6. The parties agree that a shop of the size proposed would routinely receive deliveries from larger vehicles. The proposal does not include a loading bay or turning circle within the confines of the site. In order for deliveries to be made, measures to facilitate a loading bay to the front of the site would be required. Furthermore, in order for these larger vehicles to be able to pass unimpeded through the surrounding streets, existing on-street parking provision would need to be amended. Specifically, this would require the loss of 3 parking spaces along Regent Street. Parking within 4 further spaces along Valley Road would also be restricted during delivery times, which the appellant has suggested would be 6am to 10am and 5pm to 7pm.
7. The appellant has provided data which demonstrates that local roads are already used by heavy goods vehicles, and that the additional numbers of vehicles involved would not lead to a significant increase in these movements. However, although parking restrictions to facilitate a loading facility could be implemented by means of a Traffic Regulation Order, its availability to the proposed retail unit could not be guaranteed. It would also be available to other traders in and around the area, including market traders. The times suggested also coincide with peak travel times as indicated by the traffic data submitted. There is therefore a risk that deliveries to the site would impede the flow of traffic on the highway, at times when traffic along Valley Road would be at its highest.
8. In support of the application a parking survey has been submitted which indicates some availability of parking spaces in the area. The appellant has also pointed out that the spaces along Valley Road are currently cordoned off to allow safe access to the temporary car park, which no longer has planning permission. Nevertheless, the significant parking pressure in the area is evident in the continued use of the site, which I noted was full at the time of my visit. Taking account of the congested condition of the surrounding streets which I witnessed first-hand, and which residents have reported, I consider it likely that the reduction in available on-street parking as proposed, would further exacerbate existing parking pressure.
9. I therefore conclude that the proposal would fail to provide adequate servicing arrangements. It would also lead to a small but nonetheless significant loss of on street parking. This would exacerbate existing parking and congestion problems and would impede the free flow of traffic, causing inconvenience to road users. It follows that the proposal would conflict with policies BE5 and S2 of the *Replacement Calderdale Unitary Development Plan* as it would fail to provide for the safe and free flow of traffic. It would also conflict with guidance within the *National Planning Policy Framework* (the Framework) which seeks developments which accommodate the efficient delivery of goods and supplies.

Other Matters

10. A large number of objections were received in relation to the proposal. These raised a number of issues, including the impact a national supermarket chain

might have on the town, which is predominantly made up of independent traders. Whilst I note the strongly felt views of many in the town on the matter, an A1 use in this location would comply with local and national planning policy. This is not altered by local concerns about the nature of the potential occupant. It is therefore not a matter to which I attribute any weight.

11. The effect of the proposal on the Hebden Bridge Conservation Area, or the setting of the nearby Burlees House, a Grade II listed building, is not a matter between the main parties. The site comprises a piece of vacant land. The scale and mass of the buildings, and their position on the site is reflective of the wider streetscape and the chosen materials also seek to complement the local palette. Having regard to the close urban grain of the surrounding streets, and the character of surrounding buildings within the Valley Road and Hangingroyd Lane Character Area, I am satisfied the proposal would preserve and enhance the character and appearance of the Conservation Area. Furthermore, taking into account the context of the listed building within the tight built frontage and existing views of the appeal site from the listed building, I am satisfied that it would also preserve its setting.
12. The proposal would bring a vacant site back into use and it would provide additional consumer choice. It would also provide 8 new homes and provide 20 local jobs, in a sustainable location. Having regard to the impetus in the Framework for growth, these are matters to which I attribute significant weight. However, the effect of the proposal on the local highways network would also be significant and harmful. I therefore conclude that on balance, the harmful effects of the proposal on the local highway network outweigh the potential benefits of the scheme.
13. Therefore, for the reasons outlined above, and having regard to all other matters raised, the appeal is dismissed.

A Jordan

INSPECTOR