

Appeal Decision

Site visit made on 10 October 2016

by Paul Singleton BSc (Hons) MA MRTPI

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

Decision date: 27 October 2016

Appeal Ref: APP/W4705/W/16/3153879

Romeos UK, 353 Great Horton Road, Bradford, West Yorkshire BD7 3BZ

- 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 Romeos UK Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 16/03255/FUL, dated 20 April 2016, was refused by notice dated 13 June 2016.
 - The development proposed is temporary permission for existing cabin within rear yard.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have adopted the description of development used in the Council's decision notice rather than that set out in the planning application as this provides a more accurate description of the proposal.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and on the function and use of the neighbouring business premises.

Reasons

Character and appearance

4. A previous appeal (APP/W4705/W/15/313400) for the retention of the building was dismissed in March 2016. The current proposal would not alter the basic form of the building or its utilitarian appearance and the building would continue to appear as an incongruous addition to the street scene in Gathorne Street and Great Horton Road. The stone cladding proposed to the front elevation would not mask that incongruous appearance and, even when toned down by means of painting, the rendered finish to the other elevations would be discordant with the natural stone that is the predominant facing material to the surrounding buildings. The shallow pitch and felt cladding to the roof would also remain out of keeping with those surrounding buildings.
 5. Due to its siting the building would continue to have a poor relationship with the host building and its existing rear addition and to be intrusive in views from Great Horton Road. The building's siting and design has resulted in significant
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detriment to the setting of the well proportioned and attractively detailed property at number 2 Gathorne Street, thereby reducing its prominence and diminishing the positive contribution that it would otherwise make to the street scene. The external treatments proposed would provide no meaningful mitigation of that substantial harm.

6. Accordingly, I find that the retention of the cabin on the appeal site would cause substantial harm to the character and appearance of both Gathorne Street and Great Horton Road and that a temporary rather than a permanent permission would not provide adequate mitigation for that harm. The proposal would conflict with Policy UR3 of the City of Bradford Replacement Unitary Development Plan (2005) (UDP), which states that development will be permitted if it does not have an adverse effect on the surrounding environment, and with UDP Policy D1, which requires that all development should be well related to the existing character of the locality in terms of scale, design, massing, height and materials.

Effect on neighbouring business

7. I agree with the findings of the previous Inspector that the overall scale of the building and its very close proximity to No 2 Gathorne Street make it appear very oppressive in relation to that property. Although No 2 is not a residential property this oppressive and overbearing relationship does considerably diminish its attractiveness as a place in which to work with resultant adverse consequences for the functional well-being of the neighbouring business premises and its occupants. The proposed works to the external elevations would do nothing to overcome those adverse effects and the retention of the building would, therefore, be contrary to UDP Policy UR3, in that it would have an adverse effect on the occupants of adjoining land, and to Policy D1 because it would cause harm to the amenity of existing users of the adjacent property.

Other Matters

8. I acknowledge the economic and social benefits brought about by the opening and continued operation of Romeos restaurant and have no reason to doubt the operator's need for additional storage facilities. However, I consider that this need could be met by means of a building or extension which is more sympathetic to the character and appearance the host building and its surroundings. The appellant's stated intention of bringing forward alternative proposals is, therefore, to be welcomed.
9. Whilst I note the appellant's assertion that time is needed to secure the necessary funding for an alternative solution I do not think it appropriate that the substantial harm caused by the existing, unauthorised building should be endured for a period of 4 years while such proposals are formulated and submitted for the Council's consideration.

Conclusion

10. For the reasons set out above I conclude that the appeal should fail.

Paul Singleton

INSPECTOR