
Appeal Decision

Site visit made on 1 November 2016

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

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

Decision date: 8th November 2016

Appeal Ref: APP/W4705/D/16/3156356

10 Speeton Grove, Bradford BD7 4NE

- 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 Mr Damian Slingsby against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 16/03016/HOU, dated 15 April 2016, was refused by notice dated 14 June 2016.
 - The development proposed is a two storey side extension (retention).
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension (retention) at 10 Speeton Grove, Bradford BD7 4NE in accordance with the terms of the application, Ref 16/03016/HOU, dated 15 April 2016, subject to the following conditions:
 - 1) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), other than those expressly authorised by this permission, no further windows or other openings of any kind shall be formed in the side and rear elevations of the extension without prior written permission of the Local Planning Authority.
 - 2) The side elevation bedroom window hereby permitted shall be glazed in obscure glass within six weeks of the date of this permission and shall be thereafter retained in obscure glazing.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing No 010 - Existing GA Plans & Site Plan; Drawing No 011 - As Built GA Plans & Site Plan; Drawing 020 - Existing & As Built Elevations.

Procedural Matter

2. The development has been completed and I have no evidence to indicate that it has been constructed otherwise than in accordance with the submitted plans. I have dealt with the appeal on the basis of the application as submitted.
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Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property comprises a semi-detached dwelling located in a corner position at the head of a relatively small compact cul-de-sac. Properties around the cul-de-sac are of similar construction age but have some variance in design style and comprise stone and rendered properties having hipped and gable roofs. As such there is no consistent and prominent design style around the cul-de-sac.
5. The Council indicate that in 2010 planning permission was granted for a side extension to the appeal property with the approved plans showing the front elevation of the extension being set behind the front wall of the original dwelling. The Council suggest that the approved design accorded with Householder Supplementary Planning Document (SPD) which requires that two storey side extensions should normally be positioned behind the front wall of the house in order to assist in ensuring that the extension appears subordinate and that the original design of a house is preserved.
6. The extension has been constructed with its front elevation flush with the front wall of the original dwelling and a small garage section projects slightly in front of the original front wall. As such, the Council argue that the extension as built unbalances the appearance of the pair of semi detached properties and harms the visual character of the property and the street scene.
7. The extension has been constructed in a design and materials that matches the original property. Being in a corner position at the head of the narrow cul-de-sac it is not possible to see the full extent of the extended property in views from the more major road at Speeton Avenue. Views of the full extent of the property are only readily attainable from the approach to the cul-de-sac head.
8. As a consequence of the harmonious design style, in views I do not consider that the size of the extension causes any unacceptable imbalance in the pair of semi detached dwellings. These properties are the only pair of semi-detached houses at the head of the cul-de-sac and as such the extension does not cause any terracing effect.
9. Given the varied character of other properties on Speeton Grove, and the limitation in views of the appeal property, I do not consider that the as built extension causes any harm to the character and appearance of the streetscene of an extent to warrant the dismissal of this appeal on those grounds. Similarly, whilst I fully recognise the Council's design requirement for a set back as set out in the SPD, given the locational and design factors in this case I do not consider that the appearance of the as built extension to be so at odds with the guidance in the SPD to warrant the appeal to be dismissed.
10. Taking into account the above matters I consider that the development does not cause any demonstrable harm to the character and appearance of the area. Consequently, there is no conflict with Policies UR3 and D1 of the Replacement Unitary Development Plan for the Bradford District (2005). These policies, amongst other things, require that development should not have an adverse

effect on the surrounding environment and should be well related to the existing character of the locality in terms of design, scale, mass, height and materials.

Conditions

11. The Council has suggested four planning conditions which I have considered against the advice given in paragraph 206 of the Framework and the guidance contained in the section on 'Use of Planning Conditions' in the Government's Planning Practice Guidance. As a result, I have deleted one and amended some of them for clarity.
12. As the extension has already been constructed in materials that match the existing dwelling I do not consider that a condition requiring the use of matching materials is now necessary. I agree that a condition is required to ensure that no other windows are formed in the side and rear elevations of the building in order to protect the privacy of the occupants of nearby properties.
13. Given that the bedroom window in the side elevation is positioned close to the property boundary with No 8 Speeton Grove and looks over the side and rear garden of that property I agree that a condition is required that provides for this window to be obscurely glazed in order to protect the privacy of the occupants of that property. However, the Council's suggested condition required such glazing to be provided prior to the occupation of the extension. As the extension has been constructed and is now occupied, I have amended the suggested condition to require the provision of obscure glazing within six weeks of the date of this permission. Finally, in the interests of certainty, I have attached a condition referring to the approved plans that relate to the development carried out.

Conclusion

14. For the above reasons and taking all other matters raised into account, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR