
Appeal Decision

Site visit made on 23 November 2016

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 14th December 2016

Appeal Ref: APP/W4705/W/16/3157785

1 Belmont Avenue, Baildon, Bradford MDC BD17 5AJ

- 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 Osler against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 16/01938/FUL, dated 9 March 2016, was refused by notice dated 16 June 2016.
 - The development proposed is detached house and garage.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site forms part of the garden of 1 Belmont Avenue, but would front onto, and be accessed from, Hope Lane. The existing garden stretches between Belmont Avenue and Hope Lane and has access on both roads. No 1 is a large imposing detached stone dwelling which is orientated toward and set back from Belmont Avenue. The area is predominantly residential, with a mixture of detached and semi-detached dwellings of different styles and ages.
 4. I understand that through the course of the application's consideration, the siting and height of the dwelling was amended to try and resolve the Council's concerns. This has resulted in the house sitting around 5 metres back into the site. At its narrowest point, the gap between the side of the dwelling and the common boundaries with 1B Belmont Avenue and 13 Hope Lane would be around 5.2m, and would be around 7 metres from the boundary of 7 Hope Lane (although the detached garage would abut the common boundary with this dwelling). In this regard, there is some similarity between the siting of the dwelling and others along Hope Lane, most of which appear to have some degree of setback from the roadside with a reasonable degree of side-to-side separation from neighbouring dwellings.
 5. Irrespective of the space to the front or side of the dwelling, the distinct lack of space to the rear of the house and resulting relationship with No 1 would still create an incongruous and unduly cramped form of development. The appellant has argued that the development would appear subservient to No 1
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and other dwellings on Hope Lane. However, rather than having a positive effect on the relationship between the two buildings, the difference in height would serve only to emphasise the lack of space between the dwellings and the constrained nature of the site. This would be exacerbated by the angle between the two buildings, which would result in a somewhat disjointed appearance. Collectively, the development would appear as a contrived attempt to squeeze the dwelling into a constrained plot, where more regard has been given to the limited dimensions of the site than the character of the area.

6. No 1 currently sits in a fairly spacious and open environment to the front and side and this can be discerned over the boundary treatment from Belmont Avenue and through the access on Hope Lane. No 1 and the space that remains around it constitute a positive aspect of the existing street scene. The development would close off and constrain the area around the house. This would leave No 1 itself appearing far more cramped than would currently be the case, particularly from Belmont Avenue where the rear of the development would be a prominent constraining feature. The further reduction in space around this building would, therefore, have a materially harmful effect on character of the area.
7. As such, I find the development would result in the over development of the site and an unsympathetic addition to the street scene that would materially harm the character and appearance of the area. Accordingly, there would be conflict with Replacement Unitary Development Plan (UDP)(2005) policies D1, UR3 and UDP3 which seek, amongst other things, to promote a high standard of urban design development that is well related to the existing character of the area and does not have an adverse effect on the surrounding environment.

Other matters

8. The appellant has drawn my attention to an earlier permission for an extension to No 1 which would ostensibly be larger than the development. I do not have the full details of this permission, but the appellant has provided a rough superimposition of the development on the layout of the extension. While I accept the extension would take up a significant proportion of the site, there is likely to be a considerable difference between an extension and a separate building in terms of the impact on the street scene. This is particularly the case where the new dwelling relates poorly to the other in terms of scale and orientation, as is the case here. In any case, I have considered the appeal on its own merits and concluded that it would result in a harmful form of development.
9. The appellant has also provided some examples of other development in the area which he considers similar to that proposed here. I have not been provided with the full details of these schemes so cannot conclude that the Council's approach has been inconsistent. Notwithstanding this, the majority of examples given are generally infill along a frontage and do not seek to fill any narrow gaps in front of other buildings. They have a different effect on the street scene and are not directly comparable to the development before me. The examples given do not persuade me that the form of development proposed would not be materially harmful.
10. In coming to this conclusion, I have also had regard to the letters of support for the development. In particular, I have noted the contribution the

development can make to local housing land supply and the associated benefits to the local economy. I also recognise that the Council did not have any objections to the development in terms of the specific design of the dwelling, the impact on neighbours' living conditions or highways. Nevertheless, these matters do not outweigh my concerns over the harm to the character and appearance of the area that would be caused.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR