
Appeal Decision

Site visit made on 22 March 2017

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

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

Decision date: 31 March 2017

Appeal Ref: APP/W4705/D/17/3168692

21 Wardle Crescent, Keighley, West Yorkshire BD21 2RS

- 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 Azam against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 16/08990/HOU, dated 19 November 2016, was refused by notice dated 18 January 2017.
 - The development proposed is a two storey side and rear extension with balcony at upper ground level.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;
 - the effect of the proposed development on the character and appearance of the area; and,
 - the effect of the proposed development on the living conditions of neighbours, with regard to privacy at 23 Wardle Crescent and outlook and overshadowing at 5 Heather Grove.

Reasons

Character and appearance

3. The appeal property is a semi-detached house located within a housing estate characterised by similar dwellings. The regular rhythm of semi-detached housing together with the open green spaces on street corners has created an attractive well laid out residential environment.
 4. The appeal property, with its attached neighbour, No 23, forms a pair of two storey semi-detached houses with gable ended roofs. The wide side extension would be set level with the ridge of the house and flush with its front elevation. As a result, it would not be subservient to the form of the original house. Consequently, it would dominate the dwelling and result in a considerable loss of the symmetry and balance that exists with its attached neighbour. This would be contrary to the guidance contained within the 'Householder' supplementary planning document (SPD) to which I have had due regard. It advises, amongst other matters, that a side extension to a dwelling should be set back 1m from the front elevation.
 5. For the reasons given above, I therefore conclude that the proposed development would be an incongruous addition that would cause unacceptable
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harm to the character and appearance of the area. This would be contrary to policies D1 and UR3 of the Replacement Unitary Development Plan for the Bradford District (RUDP) and the SPD. Policies D1 and UR3, amongst other matters, require the protection of the character and appearance of a locality through high quality design that respects local design features.

Living conditions

6. As part of the proposed development, an external terrace is proposed to the rear of the lounge onto which French doors would open. The appeal property though is located on a sloping site. As a result, at the rear of the property the ground floor is over 2m higher than the level of its back garden and that of its attached neighbour, No 23. The flank of the terrace would be partly enclosed by the side wall of its attached neighbour. Nevertheless, there would still be clear elevated views from the terrace over the side boundary fence of the amenity space to the rear of No 23. As this is the only private outdoor space to the property it is of particularly high amenity value. The resulting loss of privacy would have a significant adverse effect on the living conditions of the occupiers of No 23.
7. In relation to 5 Heather Grove, the side of No 21 faces its rear elevation. The proposed side extension would extend the property much closer to No 5 whilst also, owing to the increase in length, extending over more of its outlook. As a consequence, it would result in an oppressive outlook from the rooms within the rear elevation of No 5 and be overbearing in views from its back garden.
8. In terms of overshadowing, the side extension would project beyond the rear south facing elevation of the appeal property. However, the extent of its projection would be insufficient to materially reduce levels of sunlight to the west experienced within the rear of the house of No 5 and its back garden.
9. Notwithstanding my favourable findings in relation to the effect of the proposed development on the overshadowing of 5 Heather Grove, this does not negate my findings regarding the harm to outlook that would be experienced at this property and the loss of privacy that would occur at 23 Wardle Crescent. I therefore conclude that the proposed development would unacceptably harm the living conditions of the occupiers of 23 Wardle Crescent and 5 Heather Grove, contrary to policies D1 and UR3 of the Replacement Unitary Development plan for the District (RUDP) and the SPD. These policies and the SPD, amongst other matters, seek to protect the living conditions of residents from development that would cause harm.

Conclusion

10. For the reasons given above, and having regard to all other matters raised, the appeal should be dismissed.

Ian Radcliffe

Inspector