
Appeal Decision

Site visit made on 18 April 2017

by S Jones MA(Oxon) DipLP

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

Decision date: 17 July 2017

Appeal Ref: APP/W4705/D/17/3172102

12 Whitby Terrace, Bradford BD8 9JF

- 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 Yasar Khan against the decision of City of Bradford Metropolitan District Council
 - The application Ref 16/09478/HOU dated 20 December 2016, was refused by notice dated 17 February 2017.
 - The development proposed is a double storey side and rear extension
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Decision

1. The appeal is dismissed.

Main Issues

2. The effect of the development on the living conditions at the neighbouring property of 184 Upper Woodlands Road.

Reasons

3. 12 Whitby Terrace comprises the right hand half of two semidetached houses on the corner of Upper Woodlands Road and Whitby Terrace. The left hand half is numbered 182 Upper Woodlands Road. The area consists of similar housing in local stone running in parallel lines up and down the hillside, with No 12 at right angles to that parallel development, so that this pair of dwellings fronts onto Whitby Terrace with side rather than rear gardens. The house at 184 Upper Woodlands Road is next door to No 182 to the north, with its rear garden stretching out along parallel to the side garden at 12 Whitby Terrace.
 4. Currently a fence and hedging marks the boundary between the side of 12 Whitby Terrace and the rear of No 184. A significant two storey wrap-around extension is proposed. This would build out over the majority of the side garden area that is currently open, and adjoin the boundary with the rear space at No 184, and then come round the side of No 12 onto the frontage.
 5. Given its height and its siting to the south along the boundary, despite its slight set back at first floor level, the proposal would unduly enclose and dominate the rear of No 184, overwhelming that property and resulting in an unacceptable level of overshadowing.
 6. Although policies D1 and D2 have been raised they have not been supplied, and on the understanding that they concern design matters, I consider the quality of the design cannot overcome my concerns.
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7. It is agreed that the proposal arises because of an understandable wish for larger family accommodation onsite, but unfortunately this consideration does not outweigh the harm that will arise from the development.
8. I conclude that the proposal would conflict with policy UR3 of the City of Bradford Replacement Unitary Development Plan by having a definitive adverse effect on the occupants of adjoining land. I also find there is a conflict with the Householder Supplementary Planning Document Design Principle 3 which seeks to avoid unacceptable effects on neighbouring properties.

Conclusion

9. For the reasons above, and having had regard to all other matters, the appeal is dismissed.

S Jones

INSPECTOR