
Appeal Decision

Site visit made on 10 July 2017

by A Jordan BA Hons MRTPI

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

Decision date: 18 July 2017

Appeal Ref: APP/W4705/D/17/3174526

72 Ashbourne Way, Bradford, West Yorkshire, BD2 4DU

- 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 Tariq Bashir against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 17/00533/HOU, dated 1 February 2017, was refused by notice dated 29 March 2017.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues for the appeal are:
 - The effect of the proposal on the character and appearance of the surrounding area; and
 - The effect of the proposal on the living conditions of adjoining residential occupiers at Nos 70 and 74 Ashbourne Way.

Reasons

Character and Appearance

3. 72 Ashbourne Way is a semi-detached dwelling with a long rear garden which rises up behind the property. The dwelling is simple in form and sits in a row of similarly designed dwellings in an elevated position above the road. It has previously been extended with a rear extension which stretches the width of the house and extends 3 metres from the original rear wall. The proposal relates to the addition of a further extension which would measure a further 3m in depth from the rear of the existing addition. This would result in an extension to the rear which would be almost as deep as the original dwelling, unbalancing its simple proportions. The proposed flat roof would also appear utilitarian and fail to complement the roof form on the existing dwelling. Taken together, the size of the proposed and existing extensions, along with the uncomplimentary form of the roof would result in and disproportionate and incongruous addition to the property.
4. I take into account that the proposal would be visible in only glimpsed views from Ashbourne Way, and that the size of the rear garden would provide an effective visual separation from the adjoining conservation area. Nevertheless,

the proposal would be clearly visible to adjoining residents in views from the large rear gardens of properties along the road. In these views it would form an obtrusive feature which would detract from the simple proportions of the host dwelling harming the character and appearance of the area.

5. On the first matter I therefore conclude that the proposal would fail to make a positive contribution on the surrounding environment contrary to Policies UR3 and D1 of the *Replacement Unitary Development Plan for the Bradford District* (UDP). This is consistent with guidance contained within the *National Planning Policy Framework* (the Framework) which seeks new development which improves the character and quality of an area.

Living Conditions

6. The proposal would have a set of French doors on the side elevation facing the garden of No 74. These would sit within a short distance of the shared boundary, which is marked by a low wall and fence and would provide occupiers of the property with a clear view of the adjoining neighbour's garden. I take account of the orientation of the existing window, which also overlooks the adjoining garden. However, the proposed French doors sit further from the rear elevation of both properties and so provide an unimpeded view of both the adjoining garden and its rear windows. This would have an intrusive effect which would reduce the privacy of occupiers, the perception of which would not be entirely mitigated by the use of obscure glass or the erection of a more substantial boundary treatment. This would be harmful to the living conditions of occupiers of No 74.
7. The adjoining No 70 has a rear extension of a similar depth to that on the appeal property. It is currently screened from view by tall conifers which sit along the common boundary. The appellant has stated that these are to remain as part of the proposal, although their proximity to the proposal suggests that they would be unlikely to survive the effects of construction. It is therefore likely that the extension would be clearly apparent when within the adjoining dwelling. However, the proposal would be single storey in height and set back from the common boundary due to the position of the boundary wall. These factors, and the otherwise open aspect available to the rear the development, lead me to the view that the proposal would not lead to a loss of light or be experienced as being overbearing and so it would not diminish the quality of living conditions of occupiers of No 70 to a significant degree.
8. I therefore conclude that although I find no harm to the living conditions of No 70, the proposal would not have an adverse effect on the amenity of adjoining residents at No 74. It would therefore conflict with policies UR3 and D1 of the *Replacement Unitary Development Plan for the Bradford District* (UDP) and with guidance in the *National Planning Policy Framework* (the Framework) which seek a good standard of amenity for all existing and future occupiers of development.

Conclusion

9. The proposal would cause harm to the character and appearance of the area, and would be harmful to the living conditions of adjoining occupiers at 74 Ashbourne Way. I take into account that the proposal would provide additional living accommodation for the appellant and his family. Whilst I have some sympathy for this need, I cannot be assured that this requirement could not be

met by a less intrusive proposal, and so this matter does not outweigh the harm identified.

10. Therefore, for the reasons given above, and having regard to all other matters before me, I dismiss the appeal.

Anne Jordan

INSPECTOR