



Appeal Decision

Site visit made on 28 January 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2020

Appeal Ref: APP/W4705/W/19/3240298
18 Sleningford Rise, Bingley BD16 2SQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Aidy Wavish against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 19/03063/OUT, dated 17 July 2019, was refused by notice dated 11 September 2019.
 - The development proposed is described as "to construct a 3 bedroom family dwelling on a large corner plot adjacent to Number 18 Sleningford Rise".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application is in outline form with details of appearance, scale and layout to be considered now and all other matters are reserved for future consideration.
3. The Council's decision notice referred to 1 and 2 Mayfield Villas, evidence submitted by the appellant demonstrated that these properties are situated some distance away from the appeal site. The Council has confirmed that the decision notice should have referred to 16 Sleningford Rise, which is correctly referred to in the Officer's report and the appellant has been given the opportunity to provide additional comments. Therefore, I have determined the appeal accordingly.

Main Issues

4. The main issues are the effect of the proposed development on:
 - a. the living conditions of the occupiers of 16 Sleningford Rise with particular regards to loss of sun and day light and a loss of outlook;
 - b. the character and appearance of the area.

Reasons

5. The appeal site consists of part of the side garden of 18 Sleningford Rise a two storey semi detached property situated in a corner location. As a consequence of the corner location, No.18 the garden to the side of the property is wider at the front and tapers to the rear.

6. The appeal scheme would result in the development of the side garden to create detached two storey dwelling. The submitted plans show that the property would be of a similar appearance, scale and layout to No.18 albeit it is a detached property on a smaller and triangular shaped plot.

Living Conditions

7. The submitted plans clearly show that the proposed dwelling would be in close proximity to the side elevation of No.16. At the site visit I saw that a garage would separate the proposed dwelling from the dwelling at No.16 but being single storey only, would not alter the effects of the upper floor of the proposed dwelling.
8. The Officers report details that the distance from the proposed dwelling to the boundary with No.16 would be between 1.5m and 4.5m and that a 1st floor bedroom window would be 3.2 metres from the boundary looking directly on to the gable elevation of No.16. I observed at the site visit that a number of these windows appear to serve habitable rooms.
9. The Council has referred to a Householder SPD, but I have not been provided with details of this supplementary planning document. Nonetheless, as a result of the height and proximity of the proposed dwelling to No.16 I find that the appeal scheme would cause significant harm to the living conditions of the occupiers of that dwelling as a result of a loss of day and sunlight and overbearing impact.
10. Therefore, the appeal scheme would be contrary to Policy DS5 of the Core Strategy (2017) (the CS) that amongst other matters seeks to protect residents from harm resulting from new development.

Character and Appearance

11. The area surrounding the appeal site is characterised by semi-detached properties on reasonably sized plots with garden space to the side and front of the properties creating an open and spacious, if suburban, character and appearance.
12. The appeal proposal, consisting of a detached dwelling on a restricted plot would contrast with this character and appearance, in particular as a result the prominent position of the appeal site in the area and the noticeably smaller plot for the dwelling resulting in a cramped appearance.
13. I note the appellant's statements with regards the use of materials to match the existing properties of the area and that this could be subject of a suitably worded condition. Furthermore, I note that the submitted plans show that the proposed dwelling would benefit from some limited garden space to front, side and rear, including an off-street parking space. However, the submitted plans show that these would be small and in contrast to other properties in the area where the space around the dwelling is characteristic.
14. Therefore, I find that the resulting dwelling would appear as a prominent and incongruous form of development, harming the character and appearance of the area contrary to policies HO9, DS1 and DS3 of the CS that amongst other matters seek to promote good design and ensure that new development maintains and enhances the character of the area.

Conclusion

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

Mark Brooker

INSPECTOR