



Appeal Decision

Site visit made on 12 June 2020

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 June 2020

Appeal Ref: APP/W4705/D/20/3244761

18 Aireville Avenue, Frizinghall, Bradford BD9 4ET

- 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 Abdul Ghani against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 19/03809/HOU, dated 15 September 2019, was refused by notice dated 19 November 2019.
 - The development proposed is a two-storey side extension and front and rear dormer windows.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's second reason for refusal refers to the lack of a sectional drawing showing the relationship of the development with 20 Aireville Avenue. The appellant claims that such a drawing was sent to the Council on the 15 November 2019, in advance of the decision. Irrespective, it is clear from the Council's case that their concern in this regard was in relation to the impact of the proposed development on the living conditions of the occupants of 20 Aireville Avenue. The drawing has been submitted with the appeal, and I consider that neither party will be prejudiced if it is taken into account when considering the effect of the development on the living conditions of the occupants of 20 Aireville Avenue.

Main Issues

3. The main issues are the effect of the proposed development on 1) the character and appearance of the area and 2) the living conditions of the occupants of 20 Aireville Avenue.

Reasons

Character and appearance

4. The appeal property is a semi-detached dormer bungalow. It is situated in a predominately residential area where there is a variety of dwelling styles and sizes. The street leading to the appeal site is characterised by its notable incline contributing to the appeal property being sited in an elevated position.

5. The proposed extension would be constructed on a triangular piece of land to the side of the property. The extension would form a continuation of the front building line, the eaves and ridgeline of the roof, as well as the front dormer. Such an approach, particularly when seen in combination with the adjoining semi-detached property, creates an uncomfortably stretched and elongated appearance to the property. The design of the extension offers no relief in this context and would not appear subordinate to the main body of the property.
6. The incorporation of a set-back is typically to ensure that such an extension appears subordinate to the main dwelling and also avoids the creation of a terracing effect with neighbouring properties. Due to the difference in levels, property styles and the maintaining of a separation, a terracing effect would not occur in this instance. However, the lack of a set-back results in there being no clear distinction between the original dwelling, the adjoining dwelling and the extension.
7. The extension would use materials to match the main dwelling and the window positions reflect those of the main dwelling. However, I find that these aspects should be features of a well-designed extension regardless and do not override the harm I have identified. I do not consider that the presence of the front porch contributes to reduce the harm or make the proposal acceptable, as has been suggested by the appellant.
8. I therefore conclude that the proposal would have an unacceptable impact on the character and appearance of the area. It would be contrary to Policies DS1, DS3 and SC9 of the Bradford Core Strategy Development Plan Document (2017). Collectively, these policies require, amongst other things, that developments should contribute to creating high quality places and achieve good design, appropriate to their context and create attractive streetscapes.
9. The proposal would also be contrary to guidance contained in the Householder Supplementary Planning Document (2012) which outlines, amongst other things, that for semi-detached properties, extensions should be subordinate to the original house, which should remain dominant.

Living conditions

10. The adjacent property at 20 Aireville Avenue sits in an elevated position above the appeal property. The proposal includes a 'Juliet' style balcony in the rear elevation that would be closer to 20 Aireville Avenue than the existing first floor windows. Although some views would be permissible into the rear garden of 20 Aireville Avenue, such views from upper floor windows into neighbouring rear gardens are commonplace in residential areas such as this. Due to the siting of the proposed development, it would not facilitate any direct views into the rooms of the adjacent dwelling.
11. I therefore conclude that the proposal would not cause unreasonable harm to the living conditions of the occupants of 20 Aireville Avenue. It would comply with Policies DS1 and DS3 of the Bradford Core Strategy Development Plan Document (2017). Collectively, these policies require, amongst other things, that developments should contribute to creating high quality places and respond to the existing positive patterns of development which contribute to the character of the area.

12. The proposal would also comply with guidance contained in the Householder Supplementary Planning Document (2012) which outlines, amongst other things, that extensions should not cause unacceptable harm to the privacy of neighbours.

Other Matters

13. I have considered the family circumstances that have been put forward by the appellant. These matters, however, do not override the harm I have identified with the proposal.
14. Similarly, despite the proposal creating some economic benefits in terms of employment and acquisition of materials, these are very minor and do not override the harm I have identified with the proposal.
15. I have been referred to previous planning applications at the property including one granting and one refusing of planning permission for a side extension. As a result, the appellant considers that there should be no objection in principle to an extension of some form at the property. From the Council's case, it would appear that they accept this argument and that the principle of some form of extension is not in dispute. Regardless of the planning history, I have determined the appeal on its own individual merits.

Conclusion

16. Although I have found there would be no harm to the living conditions of the occupants of 20 Aireville Avenue as a result of the proposal, I find that the proposal would have an unacceptable impact on the character and appearance of the area.
17. Therefore, for the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR