



Appeal Decision

Site visit made on 24 June 2020

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2020

Appeal Ref: APP/W4705/D/20/3245646

51 Toftshaw Lane, Bradford BD4 6RB

- 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 Mrs Barbara Binns against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 19/04261/HOU, dated 11 October 2019, was refused by notice dated 3 December 2019.
 - The development proposed is a two-storey side extension, single storey rear extension, single storey side extension, front porch extension, detached triple garage & workshop and boundary wall.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. For clarity and precision, I have taken the description in the banner heading above from the appeal form and decision notice as it more succinctly and accurately describes the appeal scheme than that given on the application form.
3. It is common ground between the main parties that the proposed front boundary wall/gate and the detached garage/workshop are the only elements of the appeal scheme in dispute. On the basis of the evidence before me, and from my findings during my visit, I have little reason to disagree with the observations of the Council in this instance.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the appeal site and surrounding area.

Reasons

5. The properties located on Toftshaw Lane comprise mostly of semi-detached and terraced houses. The host dwelling is an end terraced house, where it was noted on my site visit that the appeal site slightly differs from the majority of the dwellings on Toftshaw Lane through occupying a larger plot. The site occupies a prominent position in the street, which currently has a relatively open aspect, against the backdrop of the adjacent countryside. The prominence of the site when travelling along Toftshaw Lane towards Edgemoor Close and when joining Toftshaw Lane from the Stead Road junction is significant.
6. The scheme proposes the construction of a 2.4 metre stone wall, which would be set behind a visibility splay. This would be located to the right of the

proposed access when viewing the site from the front. Additionally, a 2.2 metre high sliding gate would be installed at the access and set back behind the proposed stone wall. A section of stone wall to the left of the proposed access has already been constructed.

7. I note that the residential properties on Toftshaw Lane have a variety of front boundary treatments and to the presence of commercial properties on the opposite side of the road to the site and in the surrounding area. However, I consider that the presence of the commercial buildings to have little consequence on the immediate effect to the character and appearance of the host dwelling and surrounding residential properties. The introduction of a tall stone wall and gate on this residential property would represent strident additions to the host dwelling and the surrounding street scene, due to their excessive heights.
8. The proposed detached outbuilding would replace an existing detached single garage and would comprise a single garage, double garage and a garage/workshop. I find that the proposed building would be notable in its size, especially through its footprint. This building would be single storey in height and therefore not overly tall, and it would be ancillary in its use to the host dwelling. Nonetheless the proposed development represents a large building for this domestic site. Although the site benefits from a larger plot, this would not provide sufficient mitigation to overcome the significant harmful visual effect of the proposed development.
9. For the reasons given above, I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the appeal site and surrounding area. Consequently, the proposed development would fail to accord with the design, character and appearance aims of Policies DS1, DS3 of the Council's Core Strategy Development Plan Document 2017, and guidance contained within the Council's Householder Supplementary Planning Document 2012.

Other Matters

10. I have had regard to various other matters raised by the appellant, including her need to accommodate her vehicles. However, on the evidence before me this is not a reason to grant permission in the face of the harm identified. She has also expressed concern about the way that the Council handled the application, but this does not affect the planning merits of the case.
11. I have considered whether suitably worded conditions could be imposed to ensure that otherwise unacceptable development could be made acceptable, but this is not possible in this instance. I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

Conclusion

12. Taking all matters into consideration, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR