



Appeal Decision

Site visit made on 10 August 2020 by L Wilson BA (Hons) MA MRTPI

Decision by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2020

Appeal Ref: APP/W4705/D/20/3252082

17 Woodale Avenue, Bradford BD9 6JQ

- 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 Ms Saira Ahmed against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/00349/HOU, dated 27 January 2020, was refused by notice dated 25 March 2020.
 - The development proposed is retrospective application for rear conservatory and covered decking.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description of development above is taken from the application form and includes the word "retrospective"; however, this term does not amount to an act of development. I noted on my site visit that work had commenced and had largely been completed. For the avoidance of doubt, I have assessed the appeal proposal and based my decision on the plans before me.

Main Issues

4. The effect of the proposed development upon:
 - i. The living conditions of the occupiers of Nos. 15 and 19 Woodale Avenue (No. 15 and No. 19), with regard to overlooking and outlook; and
 - ii. The character and appearance of the host building.

Reasons for the Recommendation

Living Conditions

5. The appeal dwelling is a semi-detached property located within a residential area. The Householder: Supplementary Planning Document (SPD) sets out that single storey rear extensions to semi-detached houses should not normally

exceed 3 metres in depth. The submitted drawing shows that the single-storey extension would measure approximately 6.3 metres in depth and the covered decking would measure approximately 3.5 metres in depth. Thus, the two elements combined would project around 10 metres beyond the rear elevation of the host property. Both the extension and covered decking would have a width of approximately 4.8 metres, eaves height of 2.9 metres and ridge height of 4.2 metres.

6. The scheme would be marginally set in from the boundary shared with the adjoining property, No. 19, which does not have a rear extension. The rear windows of No. 19 are in close proximity to the common boundary shared with the appeal site. The proposal would be stepped in approximately 3.6 metres from the adjacent dwelling, No. 15, which does have a rear extension. The depth of No. 15's extension is significantly less than the development before me, and contains a door facing the appeal site and a window to the rear elevation.
7. The entirety of both side elevations of the appeal property's extension contains windows. In addition, the drawings show that the covered decking would have open sides with a wooden balustrade to the lower section. The appeal dwelling and the neighbouring dwellings sit higher than their rear gardens. Consequently, the windows of the extension and open sides of the covered decking would be higher than the boundary treatment. The scheme therefore would lead to a significant degree of overlooking of the rear gardens of Nos 15 and 19 because the side windows and open sides of the decking would directly face the neighbouring gardens. Similarly, the proposed development would overlook, in particular, the ground floor rear window of No. 19 due to the extent of glazing, the height of the windows and its proximity to the neighbouring windows. Accordingly, the scheme would result in a material loss of privacy for the occupiers of Nos 15 and 19.
8. The scheme would also have an overbearing impact upon Nos 15 and 19 because of the depth, siting and height of the development. The development would result in a significant length of walling alongside the neighbouring properties. Views from the gardens of both Nos 15 and 19 would be dominated by the large projection. In addition, the development would have a detrimental impact upon the outlook from the ground floor rear window of No. 19 because of the height and depth of the projection in proximity to the window.
9. For the reasons given above, the development would result in the living conditions of the occupiers of Nos 15 and 19 being adversely affected, with regard to overlooking and outlook. Consequently, the scheme conflicts with Policy DS5 of the Local Plan for the Bradford District Core Strategy Development Plan Document (2017) (CS) along with the SPD. The SPD and Policy DS5 collectively seek, amongst other matters, to ensure new development does not harm the amenity of existing residents.

Character and Appearance

10. The SPD highlights that rear extensions will not normally have a major impact on the quality of the streetscene. However, it is still important to achieve a good standard of design.
11. The development would be visible from Woodale Avenue but only to a small degree. The scheme would result in an extremely large projection to the rear of

the property. The depth of both the extension and decking would be larger than the depth of the original dwelling. The gable roof, and its height, adds to the prominence of the proposal and would be discordant with the hipped roof form of the host property. The extent of glazing on the side elevations would be unusual and out of proportion with the openings of the host dwelling. Thus, the development would result in a dominant and unsympathetic addition which would not appear subservient to the appeal property.

12. The Council also considers that the materials are inappropriate. I note that the application form and submitted drawing¹ indicate that matching materials would be used. The use of render would be in keeping with the appeal site. The use of timber is not of itself harmful and is a material often used for decking. The roofing material would not be overly noticeable given its height and pitch. Accordingly, the materials used would not be unduly harmful.
13. However, due to its size and dominant appearance, the proposed development would adversely affect the character and appearance of the host dwelling. In this respect, it would not accord with Policies DS1 and DS3 of the CS and the SPD. The SPD and these policies collectively seek, amongst other matters, to promote high quality design which is appropriate for its context in terms of layout, scale, density, details and materials.

Other Considerations

14. I understand that the appellant was incorrectly informed that they could carry out the development without planning permission. They have also indicated that they could revise the scheme through removing the decking and fitting obscure glazing. However, in this case a split decision would not be possible as the roof covering is integral to both sections of the structure and the rear extension and covered decking are not clearly severable. I also sympathise with the appellant's personal circumstances, but these can change over time and the development would remain long after such circumstances have ceased to be relevant. Accordingly, I do not consider that the personal circumstances in this case are sufficient to outweigh the conflict with the policies in the CS and the harm that would be caused to the living conditions of adjoining occupiers and to the character and appearance of the property.

Conclusion and Recommendation

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

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree and conclude that the appeal should be dismissed.

Sarah Housden

INSPECTOR

¹ Drawing number: 8511/1

