



Appeal Decision

Site Visit made on 2 March 2021

by Robert Walker BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 March 2021

Appeal Ref: APP/W4705/W/20/3264132

6 Park Dale, Menston, Ilkley LS29 6LW

- 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 Simon Jeavons against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/03710/FUL, dated 24 August 2020, was refused by notice dated 4 November 2020.
 - The development proposed is the construction of new dwelling house with associated parking in the garden of existing house.
-

Decision

1. The appeal is allowed and planning permission is granted for the construction of new dwelling house with associated parking in the garden of existing house at 6 Park Dale, Menston, Ilkley LS29 6LW in accordance with the terms of the application, Ref 20/03710/FUL, dated 24 August 2020 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: No. 1907.101; 1907.102; 1907.103; 1907.201; and 1907.301.
 - 3) No development above slab level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
 - 4) The dwelling shall not be occupied until the car parking spaces have been laid out within the site in accordance with drawing no. 1907.103 for 2 cars to be parked and the spaces shall thereafter be kept available at all times for the parking of vehicles.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the surrounding area; and
 - Whether the proposal would provide adequate living conditions for future residents of the proposed dwelling with particular reference to external amenity space, outlook and natural light.

Reasons

Character and appearance

3. The appeal site is a small, irregular shaped parcel of land which forms part of the grounds of No 6 Park Dale (No 6). It is located at the end of the street, Park Field which terminates at a field. Both Park Field and Park Dale are characterised by large suburban style houses, set back from the street within spacious grounds, with some variation in design.
4. The proposed dwelling would be seen in combination with a small group of houses, and in particular, No 6 and No 19 Park Field (No 19). In this context it would not appear isolated. The location of the plot, with the bend in the road and the length of its boundary along the footway would result in a spacious setting between the other buildings in this part of the street. As such, although the dwelling would be close to its boundaries, it would not appear cramped.
5. In Park Field and Park Dale the broad repetition of building lines and the pattern of housing is particularly well-defined, due to the straight alignment of the estate road. As such, the appeal site's position along the bend of the road where it terminates at the field is distinct from the other sections of the street. Consequently, the differences in size and positioning relative to the footway of the proposed dwelling would not, in my view, manifest in harm to the prevailing pattern of housing elsewhere.
6. The dwelling would be of a design that would be compatible with the suburban nature of houses in the area. It would be positioned so that on the approach from Park Field its front façade would be clearly visible, resulting in a positive presentation to the street, despite it not being parallel to the curve of the road.
7. The proposal would make an effective use of an awkwardly shaped parcel of land, in a manner that would add some variation to the housing in Park Field and Park Dale, without appearing cramped. It would be prominent, particularly in close views. However, for the reasons given above, I conclude that the proposal would not have a harmful effect on the character and appearance of the surrounding area.
8. The proposal would therefore comply with the requirements of Policies HO9, DS1 and DS3 of the Council's Core Strategy Development Plan Document (CS) (2017). These stipulate, amongst other things, that development proposals should create a strong sense of place and be appropriate to their context in terms of layout, scale, density, details and materials.

Living conditions

9. Neither party has provided any substantive evidence regarding the extent of the likely levels of natural light which would be achieved internally. Although the side window in the lounge would be close to the boundary, there would be a large window to the front which would benefit from a good outlook and level of natural light.
10. The 2 windows in the rear dining and kitchen room would be close to the boundary and would have a limited outlook. However, the outlook would include views of trees and vegetation above the wall. Such soft natural features, albeit in close proximity, would not be an obtrusive outlook.

11. The height of the vegetation would also affect the amount of natural light within this room. However, the patio doors would provide an open outlook whilst also letting natural light in. Given that this room would be served by openings on 3 sides and due to the size and open aspect of the patio doors, I am satisfied that overall, this room would have both an acceptable outlook and natural light levels.
12. The small patio area and lawn would provide some external amenity space, with the hedge to the front offering a degree of privacy, whilst still allowing an open aspect toward the field. Moreover, given the location of the nearest neighbouring property to the garden on the opposite side of the road, there would not be any significant overlooking from other houses. Although restricted in useability due to its shape, for a small 2-bedroom property, the small garden would provide adequate external amenity space for future occupiers.
13. I therefore find that the proposal would provide adequate living conditions for future residents of the proposed dwelling with particular reference to external amenity space, outlook and natural light. The proposal would therefore accord with the requirements of Policy DS5 of the CS. This stipulates, amongst other things, that development proposals should make a positive contribution to peoples lives through high quality, inclusive design.

Other Matters

14. The proposal would make an efficient use of the land and would result in an additional dwelling in a sustainable location. As such, there would be a small amount of social and economic benefits associated with the dwelling.
15. The spacious aspect around the property is such that there would be no impact on the occupiers of any other neighbouring property from the proposed dwelling. I have no substantive evidence before me that there would be any damage to any trees or planting because of the location of the dwelling.
16. I have been referred to a previous refused application at No 2 Park Dale. Although, I do not have the full details of the proposal before me, the appeal site has a distinct position within the street. Moreover, the particular characteristics of the of the appeal site and its location are such that the proposal is unlikely to be repeated elsewhere. Each proposal must be determined on its own individual merits and generalised concerns of a precedent being established, does not amount to a reason to withhold planning permission in this instance.

Conditions

17. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans in the interests of certainty. A condition requiring materials to be submitted and agreed with the Council is necessary in the interests of the appearance of the dwelling. The provision and retention of appropriate car parking arrangements is necessary in the interests of highway safety.

Conclusion

18. To conclude, I have found that the proposal would not harm the character and appearance of the surrounding area and would provide adequate living conditions for future residents of the proposed dwelling with particular

reference to external amenity space, outlook and natural light. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan.

19. For the reasons set out, and having considered all other matters raised, the appeal is allowed, subject to conditions.

Robert Walker

INSPECTOR