



Appeal Decision

Site visit made on 12 April 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2021

Appeal Ref: APP/W4705/D/21/3267832

2 Bank View, Baildon, BD17 7PA

- 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 & Mrs A Hardisty against the decision of the City of Bradford Metropolitan District Council.
 - The application Ref 20/05470/HOU, dated 30 November 2020, was refused by notice dated 21 January 2021.
 - The development proposed is a single garage and small rear decking area.
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This decision is issued in accordance with section 56 (2) of the Planning and Compulsory Purchase Act 2004 as amended and supersedes that issued on 18th June 2021.

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 Matter

3. The garage and decking that are the subject of this appeal have already been constructed. I have dealt with the appeal on that basis.

Main Issues

4. The main issues are the effect of the garage on the character and appearance of the area and the effect of the timber decking on the living conditions of the neighbours, with particular regard to privacy.

Reasons for the Recommendation

5. The appeal property is a two-storey semi-detached dwelling at the western end of Bank View, with semi-detached and terraced bungalows on the opposite side of the street. As is typical of Council built estates of the period, there is a strongly defined building line and the majority of properties in the street, including the appeal property, and in the wider area are set back from the street and have modest front gardens or driveways. Most of the front boundaries have low walls, fences or hedges while a small number of
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- properties have no physical boundary at all. Frontages on corner plots are generally open and, overall, the street has a spacious character.
6. Photographs provided within the appellant's supporting documents demonstrate that the frontage of the property conformed to that pattern prior to the construction of the garage. The front garden and adjacent driveway were free of buildings and contributed positively to the open character of the area. The garage is set to the side of the appeal property next to the driveway. It projects forwards of the building line of the street and has a minimal set back from the street. Due to the curvature of the road it is in an extremely prominent position on the bend. A shed at the neighbouring property, 23 Central Avenue, is immediately adjacent to the garage and is also forwards of the building line. However, the garage is of a much larger scale and is of more solid construction than the shed, while the shed has been set back from the street.
 7. The garage is therefore an unsympathetic addition to the street scene which is at odds with the prevailing character due to its scale and position forward of the established building line at a prominent corner. Consequently, the structure detracts from the spacious character of the street, especially when viewed from the junction with Central Avenue. Whilst the materials and design seek to reflect the character of surrounding houses, those matters do not mitigate for the impact on the open character of the street frontage arising from the unsympathetic location of the structure, as described above.
 8. For the reasons given, the garage causes harm to the character and appearance of the area and therefore the proposal would be contrary to policies DS1 and DS3 of the Bradford District Core Strategy Development Plan Document (July 2017) (CS), which require new development to achieve good design that is appropriate to its context.
 9. The decking is of a modest size, however it is approximately 0.95m above ground level. At that height the decking allows wide views over the existing boundary treatments into the garden and conservatory at 4 Bank View and of the rear windows and small rear garden area at 23 Central Avenue. Although the existing windows allow a degree of overlooking, the decking increases the overlooking of the neighbouring properties, in particular to the neighbour at No 23 as the decking is in closer proximity to the boundary with No 23. Unlike a window where views are likely to be fleeting, those using the decking are likely to sit for prolonged periods, particularly during good weather, and the use would create a real sense of being overlooked for neighbouring residents. As such, the decking would cause harm to the living conditions of residents at the neighbouring properties.
 10. The proposal would therefore conflict with policy DS5 of the CS, which requires development proposals to not cause harm to the amenity of residents.
 11. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR