



Appeal Decision

Site visit made on 5 July 2021

by **S Dean MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 July 2021

Appeal Ref: APP/W4705/D/21/3272600

40 West Royd Road, Shipley, BD18 2PQ

- 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 Tracey Slingsby against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/05314/HOU, dated 20 November 2020, was refused by notice dated 14 January 2021.
 - The development proposed is an outbuilding in front garden for use as a home office.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording, matching that used on the Decision Notice has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. However, as both parties have used this description in their submissions, and it is a much clearer description of the development proposed, I have used it in my heading above but have removed the narrative element.
3. Parties agree that the appeal development has already taken place. Although there appear to be some differences between the development on site, and that shown on the drawings, this does not alter my conclusions on the main issues.

Main Issues

4. The main issues are the effect of the proposal on i) the character and appearance of the area, and ii) the living conditions of occupiers of the host property with specific regard to their outlook, overshadowing and loss of light.

Reasons

Character and appearance

5. The appeal site is an end terrace house, set above the level of the road, which is itself on a hill. As a result, the site is more visible than might otherwise be the case, particularly in views up West Royd Road. Along the road, there is a mixture of house types, materials and alterations. There are also various boundary treatments, approaches to the changing levels and parked vehicles, all of which play a role in the character and appearance of the street. Despite this variety, there is however a strong and consistent building line along the

frontages and there are no other comparable examples of such outbuildings, with a similar relationship to the host property, the street or similar visibility from the street.

6. The appeal development being timber and set to the front of the host property is prominent in the street-scene, and as a result of the visibility of the site noted above, strikingly different to, and as a result, incongruous within the street-scene. As a result, I find that the proposal is harmful to the established character and appearance of the area, and in particular, the strong, established building line. It is therefore contrary to Policies DS1, DS3 and S9 of the Local Plan for the Bradford District Core Strategy Development Plan Document (the Local Plan). These policies seek, amongst other things, to ensure that development achieves good design, appropriate to the character, appearance of its context.

Living conditions

7. The outbuilding is extremely close to the front elevation of the host property. I note that the drawings and appeal submission propose moving the building away from the windows, but even at the distance proposed, the outbuilding would have a significant effect on the outlook from the ground floor windows of the host property. The appeal development would also clearly overshadow those windows and the rooms they serve, as well as reducing significantly the light they receive.
8. I do of course accept that these harms to living conditions are, in effect, self-inflicted. However, I do not find this to be a material consideration of such weight to disapply the policies in the development plan which seek to protect living conditions. I also note the personal condition suggested by the appellant, but given my findings on character and appearance, do not consider it to be appropriate in this case.
9. As a result, I find that the appeal development causes unacceptable harm to the living conditions of occupiers of the host property with specific regard to their outlook, overshadowing and loss of light, contrary to Policy DS5 of the Local Plan, which seeks to protect amenity.

Other Matters

10. Like the Council, I have some sympathy with the appellants desire for secure storage. However, on the face of the evidence before me, do not consider that this outweighs the need to protect the character and appearance of the area, and the living conditions of occupiers of the appeal site.

Conclusion

11. For the reasons given above I conclude that the appeal development conflicts with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be dismissed.

S Dean

INSPECTOR