



Appeal Decision

Site visit made on 12 July 2021

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 August 2021

Appeal Ref: APP/W4705/D/21/3272829

16 Lynden Avenue, Shipley BD18 1HF

- 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 Steven Tiffany against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/05458/HOU, dated 27 November 2020, was refused by notice dated 4 March 2021.
 - The development proposed is described as 2 storey side with gable.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant requested that the appeal should be determined by way of a hearing. However, I do not consider that a hearing is necessary as the planning issues raised can be clearly understood from the appeal documents and my site visit. Given the nature of the evidence submitted, the matters raised would not require questioning of the evidence at a hearing and it is not considered necessary for any evidence to be tested orally.
3. Since the application was determined, a revised version of the National Planning Policy Framework (the 'Framework') has been published. The main parties were given the opportunity to comment on any relevant implications for the appeal and have not therefore been prejudiced. I have had regard to the appellant's response and the Framework in reaching my decision.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the host building and surrounding area.

Reasons

5. No 16 is a two-storey, semi-detached dwelling located within a residential area. The surrounding area is generally characterised by similarly designed semi-detached dwellings which are regularly spaced. I observed on my site visit that two-storey side extensions were not a common feature within the surrounding area.
6. The scheme would conflict with the Council's Householder Supplementary Planning Document (2012) (SPD). This is because it would not be stepped back

- 1 metre behind the front wall of the dwelling nor have a 1m gap to the side boundary nor have a lower roofline.
7. Consequently, the extension would not appear as a subordinate addition and would not preserve the original design of the host property. Thus, the proposed development would result in an unsympathetic extension and dominant addition to the street scene due to its scale, massing, the lack of a 1m set back, small gap to the side boundary and ridge height.
 8. The scheme also proposes render which although it would help to distinguish between the main dwelling and extension it would draw the eye to the extension and add to its prominence. The existing dwelling incorporates render to the side elevation and there are rendered properties within the surrounding area. However, the mix of stone and render to the front elevation is not characteristic of the area and would result in an awkward join between the two materials.
 9. I am not convinced that the scheme would cause a terracing effect, as suggested by the council. Although the extension would fill the majority of the gap to the side of the host property, 18 Lynden Avenue does not currently extend to the side boundary. Thus, a gap would be retained between Nos 16 and 18. I recognise that in the future the occupiers of No 18 may wish to extend their property to the side. Nevertheless, given that No 18 does not currently extend to the common boundary, I do not consider this to be a reason to withhold planning permission.
 10. I observed on my site visit that there are properties within Lynden Avenue with side extensions which do not incorporate set backs and extend up to the side boundary. Nonetheless, these related to single-storey extensions and therefore cannot be directly compared to the scheme before me which would be more prominent because of its scale and massing.
 11. Within the surrounding area I also observed two-storey side extensions. The appellant has also drawn my attention to a range of extensions. I have little information before me with regards to these extensions. Nonetheless, I observed that the majority of two-storey side extensions read as subordinate additions due to the use of set backs, gap to the side and lower ridge height. Those extensions that did not incorporate such features did not contribute positively to the character of the area. The extensions highlighted do not represent justification for harmful development at the appeal site and each application must be determined on its individual merits.
 12. For the reasons given above, the proposed development would be visually harmful to the character and appearance of the host dwelling and surrounding area. Accordingly, it would conflict with Policies DS1 and DS3 of the Local Plan for the Bradford District: Core Strategy Development Plan Document (2017). These Policies seek, amongst other matters, to ensure development proposals contribute to achieving good design and high quality spaces through ensuring that they are appropriate to their context.
 13. The scheme would also not comply with the SPD which requires extensions to maintain or improve the character and quality of the original house and wider area.

Other Matters

14. The appellant states that there would be no point building the extension if it was reduced to 1.7 metres and it would not accord with the nationally described space standard¹. However, this standard is not applicable to the appeal scheme as it relates to new dwellings rather than extensions.
15. The appellant also states that the front cannot be set back by 1 metre because of the access and egress door to the ground floor extension being placed at the bottom of the stairs for safe passage to an external place of safety and fire assembly point. Based on the evidence provided, I am not convinced that there are not any alternative internal layouts that could satisfy these concerns.
16. The appellant asserts that if they applied for a first-floor extension to a garage then it would be granted. Whether or not a different development would be acceptable is not for me to determine and each application must be determined on its individual merits. The above matters raised by the appellant do not outweigh the harm identified.
17. In addition, the appellant states that the Council are in breach of paragraph 47 of the Framework because they did not ask for an extension of time. Furthermore, the application was not sent to the planning panel. These matters do not outweigh the harm identified and, in any event, I have determined the appeal on its planning merits.

Conclusion

18. The proposal would therefore conflict with the development plan and there are no other considerations that outweigh this conflict.
19. For the reasons given above the appeal should be dismissed.

L M Wilson

INSPECTOR

¹ Technical housing standards – nationally described space standard (DCLG, 2015).