



Appeal Decision

Site visit made on 23 February 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2022

Appeal Ref: APP/W4705/D/21/3284397

18 Mountain, Brighouse and Denholme Road, Denholme, Bradford, West Yorkshire BD13 1JE

- 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 Mark Storrer against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/04054/HOU, dated 2 August 2021, was refused by notice dated 23 September 2021.
 - The development proposed is detached garden room parking area and access gates with stone pillars.
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Decision

1. The appeal is allowed and planning permission is granted for detached garden room parking area and access gates with stone pillars at 18 Mountain, Brighouse and Denholme Road, Denholme, Bradford BD13 1JE in accordance with the terms of the application, Ref 21/04054/HOU, dated 2 August 2021, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plan: Dwg No 3244.01.001 D; and
 - 2) The garden room hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 18 Mountain, Brighouse and Denholme Road Denholme, Bradford, West Yorkshire BD13 1JE.

Preliminary Matters

2. The garden room is in situ but all of the development subject of this appeal has not been completed. As such, I am considering the appeal, in part, retrospectively.
3. I have used the description of the development from the Council's decision notice which more fully describes the extent of development. However, I have omitted the word 'retrospective' which is not a description of development.

Main Issue

4. The site is within the Green Belt. The Council conclude that the development would not be inappropriate development in the Green Belt. Having regard to the exceptions set out in paragraph 149 and 150 of the National Planning Policy Framework (the Framework), I agree. The garden room is not a disproportionate addition over and above the size of the original dwelling and

other works have not materially affected openness. Thus, the development is not inappropriate development in the Green Belt.

5. Accordingly, the main issue in this appeal is the effect of the development on the character and appearance of the surrounding area.

Reasons

6. The appeal property is a large stone built modern dormer bungalow within a residential area characterised by predominantly stone dwellings. However, the use of timber is found within the immediate vicinity including in, amongst other things, garaging, sheds, fencing, windows and doors and a car port. Although some of these features may have been erected through permitted development rights, they nonetheless form part of the character of the area.
7. The garden room is positioned near the corner of the plot where a row of trees follows the boundary. The use of timber for the ancillary building harmonises with the trees. Moreover, given the presence of timber elsewhere within the immediate vicinity I am satisfied that the material finish does not appear at odds with its surroundings, even though the predominant material is stone.
8. The garden room is a reasonably large outbuilding with extensive glazing visible from the public realm. However, its dark window treatment compliments the roof. and this colour treatment, along with the natural timber materials of the building and flat roof form moderate the visual effects of the building. Moreover, it remains clearly subservient in scale, form and function to the host dwelling. Set behind the stone wall and with the row of trees along the boundary it does not appear unduly dominant or incongruous in this residential setting.
9. The Council do not raise concerns regarding the gates and gate pillars and I am also satisfied that they would be of a form and appearance that would harmonise with the remaining stone boundary.
10. I therefore conclude that the development does not harmfully effect the character and appearance of the surrounding area. As such, I find no conflict with Policies DS1, DS2 and EN4 of the Council's Core Strategy Development Plan Document (CS) (2017). These stipulate, amongst other things, that development proposals, should contribute to achieving good design and high quality places through being informed by a good understanding of the site/area and its context.
11. As the development is partly retrospective, the standard time limit condition is not necessary, however, a plans condition is, in the interests of certainty. A condition is also imposed to ensure that the annexe remains ancillary to the host dwelling. However, I have altered the Council's suggested condition in the interests of precision and brevity.
12. For the above reasons the appeal is allowed subject to conditions.

Mr R Walker

INSPECTOR