



Appeal Decision

Site visit made on 27 June 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2022

Appeal Ref: APP/W4705/W/21/3289685

22 Grange Road, Riddlesden, Keighley BD20 5AA

- 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 Ghufuran Bashir Hussain against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/04937/HOU, dated 25 September 2021, was refused by notice dated 22 November 2021.
 - The development proposed is a two storey side and rear extension with internal alteration.
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Decision

1. The appeal is dismissed.

Main Issues

2. The first main issue is the effect of the two-storey rear extension on the living conditions of the occupiers of the attached neighbouring property, 2 Grange Crescent (No.2) with particular regard to any overbearing and overshadowing impact. The second is the effect of the two storey side extension on the character and appearance of the host property and the area.

Reasons

Living conditions (overbearing)

3. The appeal property is modestly sized, incorporating two main rooms to the ground floor, a living room to the front and a kitchen to the rear. This ground floor arrangement is mirrored at No.2. Given its limited set off from the boundary, the two-storey rear extension would be likely to form a prominent feature for the occupiers of No.2.
4. Whilst there is a tall and rather thick hedge along the boundary between the two dwellings, the extension would form a higher, bulkier, more substantial and permanent feature. The projection of the extension would be substantial within the context of the small rear garden at both the appeal property and that neighbouring at No.2.
5. Within this context, the two-storey rear extension when viewed from the kitchen window of No.2 would be likely to form an enclosing, over-dominating and claustrophobic feature which would have an overbearing impact on the neighbouring occupiers.

Living conditions (overshadowing)

6. The two-storey rear extension would be in close proximity to the boundary with No.2. However, in spite of its height, depth and positioning it is unlikely that it would result in any significant levels of overshadowing to either the rear elevation of No.2 or its garden, because both elevations face in a north easterly direction and are already likely to receive limited levels of sunlight as a result of this orientation.

Living conditions (conclusion)

7. In spite of my conclusions with regard to overshadowing, the two-storey rear extension would be likely to have an overbearing impact on the neighbouring occupiers when viewed from the ground floor kitchen window which would have a significant adverse impact on their living conditions.
8. The proposal would therefore conflict with Policy DS5 of the Bradford Core Strategy (2017) (BCS) which amongst other things requires that proposals should not harm the amenity of existing residents.
9. The two-storey rear extension would also conflict with Design Principle 3 of the Local Development Framework for Bradford - Householder Supplementary Planning Document (SPD) which amongst other things requires that extensions should not over dominate.
10. It also requires that in relation to two storey extensions, these should not normally project beyond a 45-degree line taken from the edge of the nearest habitable¹ window of any adjacent house. The evidence does not indicate that the two-storey rear extension would meet this guidance resulting in further conflict with the SPD.

Character and appearance

11. The side extension, of two storey height, would incorporate a set back at first floor level and a set down from the main ridgeline of the dwelling.
12. While I appreciate the extension would be of substantial width when compared to that of the modest host dwelling, when combined with the large and spacious garden area that is available to the side of the dwelling, the two-storey side extension would remain subordinate to the host dwelling.
13. The side extension would therefore cause no harm to the character and appearance of the host property. Subsequently it would cause no harm to the character and appearance of the area, within which well sized two storey side extensions are an established feature.
14. The proposal would not therefore conflict with policies DS1 and DS3 of the BCS which amongst other things require well designed proposals which are appropriate to their context.
15. The two-storey side extension would not incorporate a full height 1 metre set back behind the front wall of the house and its width would be greater than two thirds the size of the original house, guidelines which the SPD suggests should 'normally' be applied. However, the use of this word appears to allow for

¹ The SPD advises on Page 12 that for the purposes of the document habitable rooms shall include amongst other rooms, kitchens.

deviation from the guidance, allowing for particular on-site circumstances to be taken into account as I have done here. There is therefore no conflict with the SPD in relation to the side extension due to the circumstances at this particular site.

Other Matters

16. My attention has been drawn to the personal family circumstances of the appellant in support of the appeal. However, the harm that would occur to the living conditions of the neighbouring occupier would be permanent as a result of the proposal.
17. Further, there is nothing to indicate that the same or similar standard of accommodation to meet the requirements of the appellant could not be created as a result of some other proposal which would not cause the harm that I have identified. I therefore afford these circumstances limited weight and they do not outweigh the harm identified.

Conclusion

18. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR