
Appeal Decision

Site visit made on 5 July 2022

by F Harrison BA(hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2022

Appeal Ref: APP/W4705/D/22/3297171

24 Sutton Crescent, Bradford BD4 8LY

- 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 Miss Shirley Devine against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/06262/HOU, dated 16 December 2021, was refused by notice dated 17 February 2022.
 - The development proposed is described as a single storey extension to rear of residential property.
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Decision

1. The appeal is allowed, and planning permission is granted for a single storey extension to rear of residential property at 24 Sutton Crescent, Bradford, BD4 8LY, in accordance with the terms of the application, Ref 21/06262/HOU, dated 16 December 2021, subject to the conditions below:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: existing elevation; extension floor plan; plan rear view; proposed section; side and end view elevation; specification; specification 2; ground floor plan; and location plan.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. From my site visit I saw that development is underway. The development, as carried out so far, appears to be in accordance with what is shown on the submitted plans. As such I have dealt with the appeal on the basis of the submitted plans.

Main Issue

3. The main issue is the effect on the living conditions of the occupiers of 22 Sutton Crescent, with regard to daylight.

Reasons

4. The appeal site is an end of terrace property within a residential area. The row of terraces have long linear gardens to the rear. While it may be that the development exceeds the recommended 3 metres, there is no detailed evidence before me to demonstrate what overshadowing impact this would have for the occupiers of 22 Sutton Crescent. The extension is single storey

with a hipped roof which reduces the bulk of the development. I note that the extension is in close proximity to the shared boundary. However, I saw from my site visit that the main ground floor window is on the side furthest away from the development. As such, it is unlikely that any shading effect would be significant.

5. Consequently, the development does not harm the living conditions of the occupiers of 22 Sutton Crescent, with regard to daylight. The development accords with Policy DS5 of the Core Strategy Development Plan Document (2017) which, amongst other things seeks development that makes a positive contribution to people's lives and does not harm the amenity of existing or prospective residents.

Conditions

6. The development is not yet complete so a plans condition is required in the interests of certainty, as well as a condition relating to materials to protect the character and appearance of the area. I note that the Council's Minerals and Waste team have suggested a contaminated land condition, but given that the site is already in use as a dwelling, there is no particular evidence that such a condition is necessary.

Conclusion

7. For the reasons given above I conclude that the development accords with the development plan. Material considerations have not been shown to carry sufficient weight as to indicate a decision otherwise than in accordance with it. Therefore, the appeal is allowed.

F Harrison

INSPECTOR