



Appeal Decision

Site visit made on 1 August 2022

by L Hughes, BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th August 2022

Appeal Ref: APP/W4705/D/22/3301451

41 Hedge Way, Bradford, BD8 0AJ

- 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 Mrs Nadia Rasool against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 22/00927/HOU, dated 24 February 2022, was refused by notice dated 22 April 2022.
 - The development is to level roof ridge with existing property, privacy screen to either side of roof terrace to rear, large dormer to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal is partly retrospective, with the provision of wooden privacy screens being the only part of the appeal development that has not been provided. The levelling of the roof ridge refers to a comparison against a planning permission for a side extension with a dropped roofline, reference 20/03374/HOU. The Council raises no objection to the rear dormer, so I have focused my decision on the other two forms of development which are the subject of the appeal. The other works carried out at the property are not included in the description of the development, so I have not considered them as part of this appeal.

Main Issues

3. The main issues are:
 - The effect of the development on the character and appearance of the streetscene; and
 - The effect of the development on the living conditions of the occupiers of No. 39 Hedge Way, with particular regard to outlook.

Reasons

Character and appearance

4. The subject property comprises a semi-detached dwelling, set within a residential suburban street of predominantly semi-detached dwellings of a similar age and with limited original variation in form. There are numerous and varied extensions and alterations to many of the properties including dormers, side extensions, and gable ends, but the character and regularity of the original

dwelling when viewed as a streetscene generally remains intact. I have no plans before me detailing the original dwelling, however, it is reasonable to assume that it matched the conjoined property in appearance and form.

5. The 2 storey side extension has a contiguous roofline with that of the original dwelling. Despite its set back from the front of the house, it does not display sufficient subordination such that it over-dominates the original character of the subject property. This also contributes to unacceptable massing when viewed in the context of the streetscene.
6. In conclusion therefore, the development would result in harm to the character and appearance of the streetscene. This would be contrary to Policies DS1 and DS3 of the Bradford Core Strategy Development Plan Document (2017). These policies aim for proposals to achieve good design, and to ensure that new developments are appropriate to their context, specifically in relation to scale, and in responding to the existing positive patterns of development which contribute to the character of the area.
7. The development would also be contrary to guidance in the Bradford Householder Supplementary Planning Document (SPD), specifically Design Principle 1 which seeks that the size, position and form of extensions should maintain or improve the character and quality of the original house and wider area.

Living conditions

8. The as built situation viewed on my site visit includes glass screens surrounding the roof terrace. The development proposed is for solid higher screens to either side, which I understand is suggested to overcome the impact on privacy from overlooking. However, this would result in a dominant and oppressive feature sited very close to the nearest rear first floor window of the conjoined property. The outlook from the habitable room served by this window would be severely restricted to an unacceptable level compared to that at present. This would be to the detriment of the living conditions of the occupiers of that property.
9. The appellant considers that the screens are not oppressive with a minimal impact, in part because they finish below the top of the window level, and are opaque. However, any screen designed for the purpose of retaining privacy by restricting overlooking here, would have a negative impact on outlook due to its height and its close relationship with the conjoined property's window.
10. In conclusion, the development would result in an unacceptable impact on the living conditions of the occupiers of No. 39 Hedge Way, with particular regard to outlook. This would be contrary to the Core Strategy Policy DS5, which aims for proposals to be safe and inclusive places to create a pleasant environment, and specifically seeks to not harm the amenity of existing or prospective users and residents. The development would also be contrary to the guidance in the SPD Design Principle 3 which aims for extensions to not over dominate or seriously damage outlook to neighbours

Conclusion

11. The proposal conflicts with the development plan as a whole. With no other material considerations outweighing this conflict, for the reasons given above I conclude that the appeal should be dismissed.

L Hughes

INSPECTOR