



Appeal Decision

Site visit made on 8 November 2022

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2022

Appeal Ref: APP/W4705/D/22/3301021

1 Wrexham Road, Burley In Wharfedale, Ilkley LS29 7LS

- 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 Emma Sutton against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 22/00313/HOU, dated 24 January 2022, was refused by notice dated 21 March 2022.
 - The development proposed is part 2 storey part single storey rear extension with 2 storey side projection to form gable. raised platform to perimeter of building; new front door into property.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant indicates that some 'concessions' could be made in respect of achieving greater separation to the boundary and changes to rear windows, but no related drawings have been provided. In any event, it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought. Consequently, I have determined the appeal on the basis of the drawings before me.

Main Issues

3. The main issues are the effect of the development on:
 - i) the character and appearance of the host building and surrounding area; and
 - ii) the living conditions of neighbouring occupants with particular regard to enclosure, outlook, and privacy.

Reasons

Character and appearance

4. The appeal property is a two-storey detached dwelling located in a prominent position at the corner of Wrexham Road and Sun Lane. It is a simple gable-ended building with a flat-roofed rear extension and a canopy roof over the front and side ground floor bay windows.
5. The surrounding area contains a mixture of detached and semi-detached dwellings of varying ages, styles, and forms. This includes a modern bungalow (63 Sun Lane) that has been recently constructed within the former rear

garden of the appeal property. The minimal space that has been left between the appeal property and its rear boundary has resulted in the appeal property appearing uncomfortably squeezed into the corner of its plot. This is noticeably out of character with the surrounding area, even accounting for some variation in plot sizes and spacing.

6. The proposals would exacerbate this cramped appearance by adding substantial bulk at the rear. Whilst the appellant points to the greater height and depth of the neighbouring dwelling 1a Wrexham Road, this would not mitigate the cramped appearance of the appeal property in relation to its own plot.
7. In terms of design, the rear extensions would jut out beyond the side elevation towards Sun Lane in a dominant and obtrusive manner, while the hipped roof design would be at odds with the gable-ended design of the main dwelling. In addition, the rear elevation would contain an odd arrangement of a narrow band of high level windows at ground floor, and first floor windows that are all obscurely glazed. This attempt to mitigate a loss of privacy to the occupiers of the neighbouring properties would appear highly contrived and is out of keeping with the fenestration design of the existing dwelling. The large opening doors to the master bedroom would add further to the awkward mismatch of fenestration in the dwelling.
8. Overall, the result would be a scale and design of development which does not integrate sensitively with the host building and its immediate surroundings, notwithstanding the variety of built form in the wider area.
9. My attention has been drawn to other developments in the area, but I am not aware of the circumstances behind them, and in any event, they are not directly comparable to the appeal scheme so have limited bearing on my consideration of the merits of this appeal.
10. I therefore conclude that the development would unacceptably harm the character and appearance of the host building and surrounding area. This is contrary to Policies DS1 and DS3 of the Bradford Core Strategy Development Plan Document 2017 (the CS), and Policy BW1 of the Burley in Wharfedale Neighbourhood Development Plan 2018, which among other things, require that new development is well designed and should make a positive contribution to the character of the area in which it is situated. It is also contrary to the Council's Householder Supplementary Planning Document 2012 (the SPD), which seeks well-designed, subordinate extensions that are sympathetic to the original house, including in respect of roof and fenestration design.

Living conditions

11. The proposals would bring two-storey development closer to the boundary with 63 Sun Lane, which has a limited amount of garden space at the side and front of the house. Even if the main garden space is at the front, the development would have an imposing presence from within the side garden and parking area, which in combination with the presence of 1a Wrexham Road, would result in an undue sense of enclosure in those areas. Given the limited garden space at the property, this undue sense of enclosure would be harmful to the living conditions of the occupants. The lack of objection from the prospective occupants is not justification for harmful development, and I am mindful that occupants can change.

12. Furthermore, although not featuring in the Council's reasons for refusal, I am still required to take into account the concerns from the neighbouring occupants of 1a Wrexham Road and 74 Sun Lane.
13. 1a Wrexham Road has a large kitchen/diner window in the side elevation facing the appeal property. Although this room joins into the rear conservatory, it would appear that this window is the only direct source of outlook from the room and is therefore important. As this outlook is already partly compromised by the height and proximity of the boundary hedge, views of the sky above it are likely to be particularly valued. The two-storey rear extension would cause a noticeable reduction in the amount of sky viewed from this window. Given the kitchen/diner is a frequently used room, this effect on outlook would be harmful to the living conditions of the occupants of that property.
14. 74 Sun Lane is located across the road from the appeal property and has its main private garden area at the side. Whilst the proposal complies with the window-to-window separation distances of the SPD, the projection towards Sun Lane would bring first floor openings closer to this neighbour's garden. These would be particularly large with the ability to be fully opened in balcony-type fashion, and would likely offer closer and more intrusive views over the boundary fence into the neighbour's garden. The resultant reduction in privacy would be harmful to the living conditions of the occupants of that property.
15. I therefore conclude that the development would unacceptably harm the living conditions of the occupants of 63 and 74 Sun Lane, and 1a Wrexham Road, with particular regard to enclosure, outlook, and privacy. This is contrary to Policy DS5 of the CS, and the SPD, where they seek to protect the living conditions of existing or prospective residents.

Other Matters

16. The appellant has highlighted a number of ways in which the proposals would improve the accommodation and internal layout of the existing house. Nonetheless, this does not outweigh the harm that would be caused and the resultant conflict with the policies of the development plan as a whole.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

A Caines

INSPECTOR