



Appeal Decision

Site visit made on 5 September 2023

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2023

Appeal Ref: APP/W4705/D/23/3328304

4 Heaton Drive, Baildon, Bradford BD17 5PQ

- 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 Hardiman against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 23/01268/HOU, dated 12 April 2023, was refused by notice dated 2 June 2023.
 - The development proposed is demolition of existing garage and store and erection of two-storey extension to the side.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage and store and erection of two-storey extension to the side, at 4 Heaton Drive, Baildon, Bradford BD17 5PQ in accordance with the terms of the application Ref 23/01268/HOU, dated 12 April 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 9803/03; 9803/02A.

Main Issue

2. The main issue in this appeal is the effect of the extension on the living conditions of the occupiers of 2 Heaton Drive with regards to privacy, outlook, and light.

Reasons

3. The appeal property is a two-storey, semi-detached house with a single-storey prefabricated garage at the side. The proposal is to replace the garage with a two-storey side extension. The extension would be set back from the front elevation by approximately 1 metre with a corresponding lower ridge height. A gap of between 0.7-2.1 metres would be retained to the side boundary.
4. The neighbouring property, 2 Heaton Drive (No 2), lies to the east and at a lower level than the appeal property. It is one half of a semi-detached dormer bungalow with a conservatory at the side.
5. The Council's officer report states that a first-floor bedroom window at the rear of the extension would overlook the rear garden of No 2, causing a loss of privacy. However, no such window is shown on the plans. The only first-floor

window in the extension would face towards the street. As such, no loss of privacy would occur.

6. The extension would likely be visible from No 2's conservatory, but only obliquely and from the side-facing windows. These windows overlook the driveway and street and their outlook is already somewhat compromised by No 2's own sheds, the appellant's garage, and when vehicles are parked on the driveway. While the extension would be taller, much of the additional height would likely be above eye line due to the level differences, and not of any great length. The less restricted outlook from the front windows of the conservatory would not be affected. Thus, despite the difference in ground levels, I am satisfied that the extension would not appear unduly dominant or overbearing in the outlook from No 2's conservatory.
7. Given the orientation and height differences, it is likely that No 2 already experiences some overshadowing from the appeal property, but only later in the day. The extension would be set down below the existing roof and in from the front and rear walls, as well as being relatively narrow in width and sited away from the boundary. From the appellant's Sun Path Analysis, it would appear that any additional overshadowing from the extension would be minimal. Consequently, and in the absence of any substantive evidence to the contrary, I am satisfied that the extension would not cause unreasonable overshadowing and loss of light to No 2.
8. For all these reasons, I conclude that the extension would not harm the living conditions of the occupiers of 2 Heaton Drive with regards to privacy, outlook, and light. Thus, the proposal complies with Policy DS5 of the Bradford Core Strategy Development Plan Document (2017); and Design Principles 2 and 3 of the Council's Householder Supplementary Planning Document (2012), in so far as they seek to protect the amenity of neighbouring residents.

Conditions

9. As suggested by the Council, I have imposed the standard commencement and approved plans conditions for certainty. However, a condition requiring the external materials to match the existing building is unnecessary as this is already specified on the plans.

Conclusion

10. For the reasons given, I conclude that the appeal should be allowed.

A Caines

INSPECTOR