



Appeal Decision

Site visit made on 6 November 2023

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2023

Appeal Ref: APP/W4705/D/23/3331293

114 West End, Queensbury, Bradford, West Yorkshire BD13 2ES

- 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 & Mrs Lawton against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 23/02718/HOU, dated 21 July 2023, was refused by notice dated 14 September 2023.
 - The development proposed is a single storey conservatory to the front.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have taken the description of development from the Council's refusal notice rather than from the appellant's planning application form. This is because it is more precise in so far that it includes the words '*to the front*'.

Main Issues

3. The main issues are the effect of the development on (i) the character and appearance of the area and (ii) the living conditions of the occupiers of No 116 West End in respect of privacy.

Reasons

Character and appearance

4. This part of West End is characterised by mainly natural stone terraced dwellings on each side of the road. The appeal property is a mid-terraced dwelling. On this side of the road, some of the dwellings include front extensions which are constructed with natural stone walls and roofing materials that match the roofs of the host properties. While the pattern of development is essentially irregular in terms of the size and position of the front extensions, there is nonetheless a consistency in terms of the use of traditional and solid walls and roofing materials. This adds positively and distinctively to the character and appearance of the area.
5. The proposed conservatory would be built alongside an existing flat roof front extension which has natural stone walls. While it would not be appreciated as being discordant in the street-scene owing to its scale and position, it would nonetheless fail to assimilate well with the rest of the properties within the area owing to the use of anthracite grey uPVC walls and the extent of the proposed

glazing. This would contrast unacceptably with the traditional and solid natural stone walls of the existing dwellinghouses. It would also visually compete with the mainly stone slate roofs that predominate in the locality. The extension would have an uncharacteristically light weight appearance and hence would be materially at odds with the more solid and in-keeping front extensions that exist in the immediate area.

6. For the above reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area. It would not therefore accord with the design, character and appearance requirements of policies DS1 and DS3 of the adopted Bradford Core Strategy Development Plan Document 2017 (CS) and the Council's adopted Householder Supplementary Planning Document (SPD).

Living conditions

7. The Council raises concern about the potential for overlooking 116 West End, in particular the front window of the main living space to this property.
8. The appellant states that the Council has misunderstood the proposal in so far that solid uPVC panels are proposed for the side elevation facing 116 West End. In response to this, and following the refusal of planning permission, the Council states *'the decision would still have been the same. The first reason for refusal relates to visual amenity and unsympathetic design'*.
9. Subject to the inclusion of uPVC panels for the side elevation facing 116 West End, I do not find that the proposal would cause material harm to the living conditions of the occupiers of 116 West End in respect of privacy. For this reason, I conclude that the proposal would accord with the amenity requirements of policy DS5 of the CS and the SPD.

Conclusion

10. Subject to the imposition of a planning condition, the proposal would not cause material harm to the living conditions of the occupiers of 116 West End. However, significant harm would be caused to the character and appearance of the area. This is a matter of overriding concern. Therefore, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR