



Appeal Decision

Site visit made on 1 February 2024

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 8th February 2024

Appeal Ref: APP/W4705/W/23/3328704

4, 6, 8 John Street, Thornton, Bradford, West Yorkshire BD13 3JS

- 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 Adrian Lowes against the decision of the City of Bradford Metropolitan District Council.
 - The application Ref 23/01928/HOU, dated 31 May 2023, was refused by notice dated 11 August 2023.
 - The development proposed is to replace the fenced yard areas at the rear of 4, 6, 8 John Street with rear porch/ utility room extensions (retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the site address from the Council's decision notice as this is a more accurate description than that in the application form.
3. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site comprises the terraced dwellings of Nos. 4, 6 and 8 John Street, backing onto Back John Street to the rear. The proposal seeks retrospective consent for three rear extensions at these properties, which are clad primarily in a grey WPC and conjoin so as to give the external appearance of a single structure, albeit with multiple entrance doors.
6. The area overall retains a somewhat traditional feel due largely to the prevalence of stone and brickwork within the vicinity. The terrace to which the appeal properties belong contributes positively in this regard. Although the dwellings on its western end are notable later additions, the use of stonework and minimal external detailing successfully assimilates in the immediate surrounds. Overall, the terrace comprises modest dwellings of simplistic forms and designs. Other than the proposal, they are

free from significant projecting elements of built form, with PVC detailing confined largely to the doors and windows so as not to detract from the overarching character of the area.

7. The three extensions of the proposal, while of modest individual dimensions, combine to create a sizeable feature along the rear elevation of the terrace, clearly visible from Back John Street and the properties along it, in addition to being glimpsed in passing from Chapel Street and the lane at the western end of the terrace. Accordingly, I observed the proposal to overall be a notable addition within the immediate surrounds, where it stands out due to the lack of similar projections along the rear elevation of the John Street terrace.
8. Clad primarily in grey WPC, the proposal is a visually jarring feature against the backdrop of the stone and brickwork of the terrace. Even noting the varied facing elevations of the properties opposite, its colouring and use of material appears overtly modern in context and does not respect the more traditional character and feel of this residential section. The bulk of this WPC, concentrated along the full width of these adjoining rear elevations, fails to reflect or successfully integrate with the materials used for doors and windows of surrounding properties, which are of more modest dimensions and interspersed among the brick facades. Overall the proposal is an incongruous feature that fails to maintain the character of the individual dwellings or the wider area.
9. For the reasons given above I find that the proposal would have a significant adverse effect on the character and appearance of the area. As such, it would fail to comply with Policies DS1 and DS3 of the Local Plan for the Bradford District Core Strategy Development Plan Document 2017 insofar as they seek to achieve good design informed by an understanding of the site/ area and its context and which responds to the existing positive patterns of development which contribute to the character of the area. It would also fail to comply with the guidance of the and the Local Development Framework for Bradford Householder Supplementary Planning Document insofar as it seeks to ensure that proposals are well designed and complement or enhance the character of the original property and the wider area.

Other Matters

10. The Council states the proposal appears to have taken place on land outside the curtilage of the dwellings, such that the current householder application has not followed the correct procedure, and an application for full planning permission should have been made. The appellant, in return, submits that the entirety of the site was in their control for a period of over 14 years such that they have acquired the land by adverse possession, stating that the same width of highway remains and the Highway Authority is content that this land is unadopted highway. However, as I am dismissing for other reasons I do not need to examine this further. Even if I were to find that the proposal could follow the householder application procedure, this would not outweigh the harm that I have found to the character and appearance of the area.
11. The appellant asserts that the structures and fencing previously in place at the site, and which were replaced by the proposal, were of limited architectural merit such that the proposal represents a design improvement. The appellant also points out that the appeal site is not in a conservation area or in the setting of a listed building, and I note letters of support from interested parties citing improved lighting at this part of the street. Nevertheless, it remains that

for the reasons outlined above I have found that the proposal would, in its own right, result in harm to the character and appearance of the area.

12. The main parties agree that the proposal would not result in adverse effects on the living conditions of occupiers of the host dwellings or neighbouring dwellings. This is a lack of harm, which is neutral in the planning balance.
13. The proposal is said to provide some benefits by providing extended living accommodation to current occupiers with secure storage, increased insulation, alternative entranceway, and improved accessibility. It is further claimed to introduce lighting to the rear to act as a crime deterrent, prompting people to use this area for parking. However, the personal circumstances of the current occupiers carry little weight in the planning balance and, in the absence of substantive evidence of crime rates in the area, I also attach limited weight to the cited deterrence impact in this regard. Even when taken together with the other matters above, this would not outweigh the identified harm.

Conclusion

14. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR