



Appeal Decision

Site visit made on 24 July 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 August 2024

Appeal Ref: APP/W4705/D/24/3345605 29 Highfield Avenue, Bradford BD10 8QZ

- 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 A Walker against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 24/00425/HOU, dated 1 February 2024, was refused by notice dated 28 March 2024.
 - The development proposed is alterations to detached bungalow to include additional storey, ground floor front extension and new pitched roofs to flat roof areas.
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Decision

1. The appeal is allowed. Planning permission is granted for alterations to detached bungalow to include additional storey, ground floor front extension and new pitched roofs to flat roof areas at 29 Highfield Avenue, Bradford BD10 8QZ in accordance with the terms of the application Ref 24/00425/HOU dated 1 February 2024 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location & Block Plan 23-FSK-05-04, Survey as Existing 23-FSK-05-01, Floor Plans & Section 23-FSK-05-02 & Proposed Elevations 23-FSK-05-03 & Arboricultural Impact Assessment JCA Ref 21645/ChC including Appendix 1 Tree Descriptions and Recommendations.
 - 4) Prior to the commencement of development, details of tree protection measures to be installed shall be submitted to and approved in writing by the Local Planning Authority. No development shall commence until the agreed tree protection measures are in place and they shall remain in place for the duration of development.

Procedural Matter

2. The evidence indicates that the appeal property is in an area subject to a tree preservation order covering an area to the west of Highfield Avenue, Tree Preservation Order No.862, Land at Highfield Avenue, Idle. The Council's concerns relate to three mature trees on the site, T1 (Scots Pine), T3 (Atlas Cedar) and T4 (Norway Maple).

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area with regard to the works proposed to T1, T3 and T4 and whether there would be any unacceptable damage to the trees or pressure to significantly lop or remove the trees following the extension works to the existing dwelling.

Reasons

4. The trees as part of the wider protected group contribute positively to the character and appearance of the area at this end of Highfield Avenue which has a verdant appearance and partly wooded feel.
5. It is apparent that the trees at the site are impacting upon the existing dwelling in its current form and the site and property appear to be subject to extensive needle drop at the current time. One of the limbs of T1 which would have been hanging close to the existing dwelling appears to have previously snapped. There is therefore an indication that some management of these trees is required in any event in relation to the existing situation at the site.
6. The works would amount to light crown lifting T3 and T4 and the removal of the lowest two branches overhanging the roof of the dwelling of T1. There is nothing to indicate that these works would cause any substantial harm to the health of the trees or threaten their long term retention. Further, the intention is to provide a 2.5m clearance to the proposed roof height. This should ensure that there is no pressure to significantly lop or remove the trees following the extension works to the existing dwelling. The proposal would not therefore have any significant adverse impact on the character and appearance of the area.
7. There would therefore be no conflict with Policy EN5 of the Core Strategy Development Plan Document (2017). Amongst other things this Policy states that trees which contribute to the character of a settlement or the amenity of the built up area will be protected. The Council will require the retention and protection of trees on development sites which are healthy and have a clear public amenity benefit.

Conditions

8. Planning permission is granted subject to the standard three year time limit. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. It is also necessary that the materials to be used in the construction of the external surfaces of the development hereby permitted should match those used in the existing building. A condition is required for tree protection measures to be installed prior to the commencement of development in the interests of the character and appearance of the area.

Conclusion

9. I have not identified conflict with the development plan and there are no considerations including the Framework¹ that indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T Burnham
INSPECTOR

¹ National Planning Policy Framework 2023.