



Appeal Decision

Site visit made on 28 January 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2025

Appeal Ref: APP/W4705/D/24/3351464

10 Ox Heys Meadows, Thornton, Bradford BD13 3AW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr & Mrs Hargreaves against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/01810/HOU.
 - The development proposed is first floor extension.
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Decision

1. The appeal is allowed, and planning permission is granted for first floor extension at 10 Ox Heys Meadows, Thornton, Bradford BD13 3AW in accordance with the terms of the application, Ref 24/01810/HOU, 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: Site Plans Location Plan Drawing No 10130/05; Proposed Elevations Drawing No 10130/04; Proposed Plans Drawing No. 10130/03.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of occupiers of number 12 Ox Heys Meadows (No 12) with particular regard to outlook and daylight/sunlight.

Reasons

3. The appeal property is a two-storey detached dwelling with an attached single storey garage/utility located to the north which is of a good height, length and width. The property sits to the southeast of the neighbouring property at No 12 at a slightly lower level. The side elevation of the garage/utility faces the rear amenity space of No 12 albeit that it is set back from the boundary by a side passage. The rear amenity space serving No 12 separates the two properties along with a tall fence to the boundary.
4. As referred to above, the appeal property already benefits from a single storey garage/utility to the north. This element is visible from No 12 including from their

associated rear amenity area although views of the garage/utility from inside of No 12 would largely be at an angle due to the positioning of the properties to one another.

5. The proposed development seeks planning consent for a first-floor extension above the existing garage/utility which would reflect the overall width and length of the existing element. Whilst the proposed extension would be taller than the existing garage/utility, it would not bring the side elevation any closer to the rear elevation or garden area serving No 12 over and above that of the existing element. It would also sit at a lower level than the existing ridge of the main property. Whilst large in mass, it would still appear as a subservient addition to the property having regard to the above factors.
6. The extension would be visible from No 12 including when utilising their rear amenity space. However, its overall height which is subordinate to the main property ensures that the proposed development would not represent a visually overbearing feature for the existing occupiers of No 12. The changes proposed over and above that of the existing when viewed from No 12 would not be so significant as to result in a harmful impact particularly as it would reflect the overall length and width of the existing structure. Moreover, the tall fence that currently exists along the boundary would continue to screen a proportion of the side elevation and this, along with the level differences whereby the appeal site is lower helps to reduce its prominence. Overall, I am content that outlook would not be so severely restricted from the dwelling and amenity area of No 12.
7. Given the overall size and scale of the proposed development and the relationship/distance that exists between the two properties, the proposed development would not result in an unacceptable harm having regard to light as any loss of daylight/sunlight would be limited over and above that of the existing garage/utility.
8. For the above reasons, I conclude that the proposed development would not have an unacceptable impact on the living conditions of existing occupiers of No 12 with particular regard to outlook and daylight/sunlight. It would therefore accord with Policy DS5 of the Core Strategy Development Plan Document, 2017 which amongst other matters, explains that plans and development proposals should not harm the amenity of existing or prospective users and residents. For the same reasons, the proposed development would also accord with the Householder Supplementary Planning Document.

Other Matters

9. The property of No 8 is located to the west of the appeal property and I am content that the proposed development would not have an unacceptable impact on the living conditions of existing occupiers in relation to outlook and daylight/sunlight. This is on the basis of my above findings in terms of size and scale and also the relationship and distance that exists between the appeal site and No 8.

Conditions

10. I have applied the standard time for commencement of development. A plans condition is also necessary in the interests of certainty. A condition relating to materials is also required in the interests of the satisfactory appearance of the development.

Conclusion

11. For the reasons given above and having had regard to the development plan as a whole, the appeal is allowed, and planning permission is given subject to the attached conditions.

N Teasdale

INSPECTOR