



Appeal Decision

Site visit made on 10 March 2025

by **E Heron MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 March 2025

Appeal Ref: APP/W4705/D/25/3360105

33 Lucy Hall Drive, Baildon, Bradford BD17 5BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr David Hancock against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/03373/HOU.
 - The development proposed is single storey side and rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Although 'Retrospective' is included in the description of development on the application form and the decision notice, I have not included it in my heading as it is not a description of development. The application form confirms the development was commenced in 2020 but is not yet complete. I saw during my site visit, elements of an extension in the process of being constructed, that appear to correspond with the proposed drawings. For the avoidance of doubt, I have considered the appeal on the basis of the proposed drawings.

Main Issues

3. The main issues are the effect of the proposed development on;
 - the character and appearance of the existing dwelling and wider area; and
 - the living conditions of the occupants of 31 Lucy Hall Drive with particular reference to outlook and daylight.

Reasons

Character and appearance

4. The appeal site sits within a residential area of high quality as it is verdant, spacious and offers a wide variety in house designs. In general, the designs provide architectural interest and as individual houses and extensions are well-proportioned, they contribute positively to the character of the area.
5. The appeal property is one of a pair of semi-detached dwellings. The pairing features simple elements of uniformity and horizontal emphasis, albeit this is interrupted by the two-storey gabled extension on the neighbouring property, no. 31. There is a space, and a step in levels between the appeal site and the

adjacent detached property, no. 33a, that corresponds to the gently rising slope of the street and gaps between dwellings.

6. The proposed extension would incorporate the constructed side wall, finished with render, and topped with a flat roof, with vertically boarded cladding to the front elevation. The rear elevation would not be publicly visible. The finished appearance of the front and side would have a vertical emphasis and scale, which would be at odds with the simplicity and horizontal emphasis of the host dwelling, and the general proportions of the semi-detached pairing. The side walling, built on the stepped boundary with no. 33a is an imposing and distracting alien feature within the street scene due to its height, and the flat roof finish would further emphasise its scale.
7. There are a variety of architectural styles and flat roof extensions along Lucy Hall Drive. However, in general these respond positively to the street scene in terms of design, scale, and massing. The previously approved front elevation, corresponded with the ground and first floor detailing of the host dwelling, and for that reason, unlike the scheme before me, appeared subservient and proportionate. Furthermore, whilst the appellant may be open to a change in materials, this would not address my more fundamental concerns regarding the overall scale and design of the proposal, relative to the main house. Therefore, I am not persuaded that planning conditions would overcome the harm to the character and appearance of the host dwelling and the area.
8. The proposed alterations to the front face of the host dwelling have a horizontal emphasis and simple but modern detailing, which would sit comfortably within the street scene. However, notwithstanding my findings in relation to this, the proposed side extension would be a visually alien feature.
9. I acknowledge that the harm identified avoids harm to the significance of designated heritage assets, including the Saltaire World Heritage Site. Nevertheless, this does not provide sufficient justification for the harm caused to the immediate street scene.
10. I therefore conclude that the proposed development would be harmful to the character and appearance of the existing dwelling and wider area. As such, the development conflicts with policies DS1 and DS3 of the Local Plan for the Bradford District, Core Strategy Development Plan Document, (2017), (Bradford DPD), that amongst other things, seek to achieve good design and high quality places by responding to and complementing the local context.

Living conditions of the neighbouring occupier

11. The neighbouring property, no. 31, has a side window serving a breakfast room extension, directly facing the appeal site boundary, and a main ground floor window in the small intervening space facing the garden. The full height of the side wall towers above the neighbour's ground floor windows, and it is in close proximity with the boundary. Despite the garden of no.31 being at a slightly higher ground level, the wall has an overbearing and oppressive effect on the outlook from these windows, and the closest area of garden. The illustrations at Appendix 5 of the appeal statement reinforce my findings in this respect.
12. The solar studies provided by the appellant indicate that the extension would cause some shading of sunlight to the adjacent neighbouring rear ground floor

windows into the evening, on the longest day of the year. The information provided does not take account of other times of the year when the sun is lower in the sky, nor does it explain how the shading has been calculated. Accordingly, it provides little analysis of how light levels would be experienced within no. 31. This limits the weight I attribute to this evidence.

13. Given the orientation, height and projection of the wall, and the proximity to neighbouring windows, I find that the appeal proposal would lead to marked overshadowing in the evenings. Coupled with its overbearing impact on outlook, I find that the wall of the appeal proposal unduly harms the living conditions of the neighbouring occupiers at no. 31.
14. It is contended that the situation would be little changed in comparison to the approved extension, and that the boundary hedge is at present, a similar height to the extension. It is the appellant's case that the proposed extension is not a more harmful scenario than the hedge height. However, it is not shown that the hedge is within the control of the appellant and its continued presence cannot be guaranteed. Moreover, its height is not fixed and could be subject to growth or pruning. As a living verdant entity, it is not a solid, stark feature but allows some light to filter through. As such, its qualities and effects are quite different to the injurious impact arising from the proposed increase and proximity of built form.
15. The appellant cites permitted development parameters with reference to the impact on neighbouring occupiers. However, it is not shown that permitted development rights would allow for a similar built relationship so close to a boundary, so this matter carries little weight.
16. Overall, I conclude that the proposal would have a harmful impact on the living conditions of the occupants of 31 Lucy Hall Drive with particular reference to outlook and daylight. As such, the proposal conflicts with policy DS5 of the Bradford DPD, which amongst other things requires development to not harm the amenity of existing or prospective users and residents.

Other Matters

17. The appellant advises that the side extension would provide a level access for parking a motorcycle. Be that as it may, this is a minor benefit that does not outweigh the harm.

Conclusion

18. For the reasons given above the appeal should be dismissed.

E Heron

INSPECTOR