



Appeal Decision

Site visit made on 15 April 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 30th June 2025

Appeal Ref: APP/W4705/D/25/3358816

8 Manor Park, Bradford BD8 0LY

- 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 Ms N Fiaz against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/03263/HOU.
 - The development proposed is described as: Material amendment submission for previously approved application 21/04113/HOU to reflect as-built residential dwelling. The proposal has been built with a height increase of 605mm from 5,700mm to 6,305mm. Dormer windows have also been updated to comply with Building Regulations requirements with reduced height windows and mechanical extract vents. Dormer faces clad in tiles to match roof.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At my request, for the purposes of certainty and clarity, the appellant has provided the name that appears above and, as such, differs from the application form.
3. A somewhat similar but smaller proposal (Ref. 21/04113/HOU) was approved by the Council at the appeal site. What has been constructed is not the same as the proposal that was approved. Consequently, the appellant submitted a new application containing drawings that, among other things, show a different design to the dormer windows and an increased height of the roof ridgeline. This application was refused by the Council and is the subject of this appeal.
4. There has been no change to the development plan, the Council's planning guidance and, insofar as it relates to the appeal proposal, no substantive changes to the National Planning Policy Framework (the Framework). I have had due regard to what the Council previously considered to be acceptable in determining this appeal.
5. I have determined this appeal on the basis of the submitted drawings, rather than what has been constructed on site. I note the Council's comments regarding inconsistencies with the submitted plans and elevations and the appellant's response. While this is a matter that should have been addressed by the parties during the application process, the minor differences in this case do not affect my assessment of the proposal.

Main Issues

6. The effect of the development on:
 - the character and appearance of the area; and

- the living conditions of occupants at 6 and 10 Manor Park, with regard to outlook and privacy.

Reasons

Character and appearance

7. The appeal property is a detached single-storey house orientated with gable ends to the front and rear. It is located within a suburban residential area of generally similar single-storey properties. The pattern and form of development in the area is consistent and harmonious and remains predominantly unaltered.
8. The house is located on rising ground toward the centre of its plot with modest gardens to front and rear. The property has an open appearance and, following the curving line of the street, stands forward from the neighbouring property 10 Manor Park (No 10) making it prominent within the street scene.
9. Dormers are present on a few houses in the area. However, they are not a defining characteristic of the area. Where dormers are present, they are small additions toward the centre or rear of roofs or on a rear-facing roof slope. There are few examples of alterations to the roof height and form of houses in the area.
10. The Council previously granted planning permission to raise the height of the roof of the appeal property and incorporate 4 dormers. The proposed development would further raise the height of the roof. The proposed dormers would be in a similar position within the roof to those previously permitted. However, the appeal proposal would reduce the area of glazing within each dormer and correspondingly increase the area of facing tiles to the front of each.
11. The appeal development, seen as a whole, would increase the scale and massing of the building and the dominant appearance of the dormers compared to what was previously approved. As such, it would result in a discordant form of development that would have a harmful effect on the character and appearance of the area.
12. I note that while the roof of the neighbouring property, No 10, has been increased in height, the roofline and form broadly remain in keeping with other buildings in the area. While the height of the raised roof of No 10 is also greater than the appeal development they are not appreciably different. However, the appeal property sits further forward within its plot and has greater prominence when seen from the street. Therefore, the increase in roof height would be more prominent and out of keeping with the character and appearance of the area.
13. I note the appellant's reference to the Framework with regard to the presumption in favour of sustainable development. However, paragraph 131 of the Framework confirms that good design is a key aspect of sustainable development, and the appeal proposal falls short in this respect.
14. Taking the above into account, I conclude that the proposed development would result in a harmful effect on the character and appearance of the area. Hence, it would conflict with Policies DS1, DS3 and DS5 of the Bradford District Core Strategy Development Plan Document, July 2017, which seek to ensure, among other things, that development should be informed by a good understanding of the site and its context and be appropriate to that context in terms of layout, scale and materials. It would also be at odds with guidance in the Framework relating to good design.

Living conditions

15. Both neighbouring properties have windows to habitable rooms facing onto the appeal property. 6 Manor Park (No 6) is situated on lower ground than the appeal property. The entrance door and windows to the kitchen, bathroom and another habitable room face the appeal property. The proposed increase in roof height would restrict views from the habitable rooms to No 6 more than the previously permitted development. Furthermore, the perceived increase in mass resulting from the reduction in glazed area to the dormers would dominate the entrance and habitable rooms to No 6. As such, the proposed development would have an overbearing and therefore, harmful effect on the living conditions of occupants of No 6.
16. No 10 is situated on higher ground and above the appeal property. The entrance door and adjacent window, and dormer to No 10 face the appeal property. The properties are separated by a concrete panel fence that limits intervisibility between the properties at ground floor level.
17. The proposed increase in the height of the appeal property roof would have little effect on the outlook from the dormer window to No 10 as views over the roof of the appeal property would be maintained. Furthermore, the proposed dormer windows would not be opposite nor directly face the existing dormer window to No 10. As such, the proposed increase in the height of the appeal property roof and proposed dormers to that side of the roof would not have an overbearing effect on occupants of the room within the roof space of No 10.
18. However, the design of the proposed dormers adds to the mass of the roof of the appeal property as seen from the entrance to No 10 due to the increase in tiled area compared to that previously approved. As such, they would have the effect of bringing the solid vertical plane of the appeal building closer to No 10. Therefore, the proposed dormers and their proximity to the front entrance to No 10 would dominate the entrance and have a harmful, overbearing effect.
19. Turning to the matter of overlooking of neighbouring properties, the plans before me indicate that the dormer windows are proposed to be glazed with opaque glass and would be non-opening. This would address issues of overlooking of neighbouring properties.
20. For these reasons, the proposed development would not have an adverse effect on the living conditions of occupants of neighbouring properties, with regard to privacy. However, the effect of the proposed increase in roof height and mass of the proposed dormers would be overbearing and so would adversely affect the living conditions of the occupants of No 6 and No 10. Hence, it would conflict with Policies DS1 and DS5 of the Bradford District Core Strategy Development Plan Document, July 2017, which seek to ensure, among other things, that development is informed by a good understanding of the site and its context and, through high quality design, not harm the amenity of residents.

Other Matters

21. I have found that the proposal would not result in harm to the privacy of occupants of neighbouring dwellings by using non-opening windows and opaque glazing to the dormer windows. Nevertheless, to ensure no harm to the privacy of neighbouring occupants the rooflights to the appeal property would also need to be non-opening. Had I been minded to allow the appeal this matter could have been secured by condition. However, as I have found the appeal development to be unacceptable for the reasons given, I have not addressed this matter further.

22. The appeal development is similar to the previously approved scheme with regards to the windows to the proposed first floor rooms. However, the lack of outlook from habitable rooms and reliance on mechanical ventilation would not result in acceptable living conditions for future occupants. However, as I am dismissing the appeal for other reasons this is not a matter I need to consider further.

Conclusion

23. I conclude that the proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

C Mayes

INSPECTOR