



Appeal Decision

Site visit made on 27 August 2025

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2025

Appeal Ref: APP/W4705/W/25/3364815

Land East of 11 to 23 Charles Street (Plot 9), Bradford BD13 2HS

- 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 Garth against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/04718/FUL.
 - The development proposed is amendments to the design of detached bungalow (Plot 9) to increase eaves height.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of 5 and 6 Booth Street with particular regard to outlook.

Reasons

3. 5 and 6 Booth Street are orientated so that the front elevation faces the appeal dwelling. While there are no habitable rooms in the elevation facing these dwellings, there is limited distance between the elevations due to constrained plot sizes. Although the ridge height remains similar and the footprint and siting are the same as previously approved, the appeal scheme has higher eaves than the approved dwelling. This has led to an increase the bulk and massing of the building, particularly on the north and south elevations, with a greater expanse of brickwork facing the neighbouring properties. Due to the proximity with the front elevation of the dwellings on Booth Street, the appeal scheme has reduced outlook for the occupiers and created a dwelling which is overbearing and oppressive when viewed from these dwellings.
4. The amendments to the design of the dwelling have not caused additional harm to the living conditions of the occupiers of the dwellings on Charles Street, as the increase in eaves height has not altered the view of the west elevation or reduced the outlook from these dwelling. This does not outweigh the harm I have found to the living conditions of the occupiers of 5 and 6 Booth Street.
5. The proposal harms the living conditions of the occupiers of 5 and 6 Booth Street with particular regard to outlook. It would conflict with Policy DS5 of the Bradford Core Strategy Development Plan Document which amongst other matters seeks to ensure that development should not harm the amenity of existing residents.

Other Matters

6. I note that the appellants claim that the council did not undertake a daylight or sunlight assessment or overshadowing analysis. Loss of light was not a reason for refusal and in any event, the dwelling is overbearing even though there is no substantive loss of daylight and sunlight.
7. Whilst the objections from the neighbours do not specifically mention outlook, the National Planning Policy Framework requires that development creates places that provide a high standard of amenity for both existing and future users and add to the overall quality of the area. The harm that I have identified exists irrespective of whether or not objections have been received.

Conclusion

8. 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 should be dismissed.

H Senior

INSPECTOR