



Appeal Decision

Site visit made on 10 September 2025

by **D M Love BA(Hons) PGCert MRTPI PISEP**

an Inspector appointed by the Secretary of State

Decision date: 10 October 2025

Appeal Ref: APP/N4720/W/25/3363911

Land to rear of 63-69 Tyersal Road, Bradford, West Yorkshire BD4 8ES

- 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 Mrs Yvonne Broadbent against the decision of Leeds City Council.
 - The application Ref is 24/06109/FU.
 - The development proposed is described as “Full planning to form a new build house and associated landscaping”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council’s decision notice refers to Spatial Policy 7 (part iv). However, from reading the officer report and reviewing the copies of policy documents submitted by the Council this should refer to Spatial Policy 6 (part iv).

Main Issue(s)

3. The main issues are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of the property with respect to privacy and outlook.

Reasons

Character and appearance

4. The site lies in a residential area characterised by a mix of two storey property types. The main development pattern fronts Tyersal Road with detached and semi-detached houses with occasional properties forming a secondary row behind. Two properties are located behind the predominant building line at this location with access via a road adjacent to number 63. Residential properties surround the site on all sides.
5. This location has already been developed with two properties in a horizontal fashion parallel with the main road consistent in manner with the main building line. This third property offers a perpendicular form of development.
6. The proposal offers a more cramped and dense form of development that would not be consistent with the wider area. The perpendicular positioning shows a shoe-horned proposal tight within its boundary that would not afford the same useable

amenity space enjoyed by adjacent properties. The distances between boundaries and elevations would not be consistent with the wider residential character with the plot being demonstrably too small to accommodate the proposed scheme without significant compromise to the wider character.

7. For the reasons provided above the proposal would be harmful to the character and appearance of the area. It is not consistent with Spatial Policy 6 (part iv) and Policy P10 of the Leeds Core Strategy (Revised 2019), Policies GP5 and BD5 of the Leeds Unitary Development Plan (Review 2006), SPG Neighbourhoods for Living (2003 and memoranda 2015) which together seek to encourage residential development in the right place without having an adverse effect on the receiving environment.

Living conditions

8. Given the proximity of adjacent properties views would be afforded into the rear garden by virtue of the upper floor windows. This would result in the proposed garden area being significantly overlooked. I do not find a 2.2m tall fence to be an effective method to fully address this with the likely shading and sense of enclosure that would occur resulting in a poor outlook.
9. The rear upper floor bedroom window would overlook down into adjacent garden areas. The use of opaque glass would be an unacceptable solution as it would result in a bedroom without any outlook which would result in an oppressive living environment.
10. While obscure glazing can be used to prevent overlooking, this is generally to non-habitable rooms such as the hall, stairs, or to bathrooms where the obscure glazing also serves to protect the privacy of the occupiers. It is not a common design feature to habitable rooms of a property. Given the appellant is proposing these measures the proposed dwelling is not suitable in this location.
11. For the reasons provided above the proposal would result in poor living conditions for the future occupiers of the proposed dwelling with regard to privacy and outlook. It is not consistent with Policy P10 of the Leeds Core Strategy (Revised 2019), Policies GP5 and BD5 of the Leeds Unitary Development Plan (Review 2006) and SPG Neighbourhoods for Living. Together these seek to ensure that residential developments provide an acceptable standard of living for future occupiers.

Other Matters

12. A single property will not make a significant contribution towards meeting the housing needs of the area, and other social and economic benefits associated with the provision of a single dwelling would be very limited and I afford this little weight in my consideration. These benefits do not outweigh the harm that would arise.

Conclusion

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

D M Love

INSPECTOR