



Appeal Decision

Site visit made on 10 November 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/W4705/W/25/3372826

43 Cotswold Avenue, Shipley, Bradford BD18 1LS

- 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 Andrew Strauss, on behalf of P N Bakes Architectural Consultancy, against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/04693/FUL.
 - The development proposed is extension and conversion of existing garage to form dwelling.
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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 23 West View Avenue, with particular regard to outlook, natural light and privacy.

Reasons

3. The garage to which the appeal relates is located to the south of the host dwelling, at the end of the cul-de-sac on Cotswold Avenue. It is a single storey structure that has a shallow mono-pitch roof with a south-west facing slope and the lowest point of the structure closest to the western boundary. The garage is only modestly set back from the boundary however does not run parallel to it but at an angle, with both the side and rear elevations extending away from the edge of the site.
4. The appeal site sits on the side of a valley, with the land sloping away to the west towards the River Aire. The site is bounded to the west by the neighbouring dwelling at 23 West View Avenue and its associated curtilage. The existing garage thus sits on higher ground than No 23. This neighbouring bungalow features a modestly sized rear garden, overlooked by a patio door and window in the rear elevation that face towards the appeal site.
5. The proposed conversion of the garage to form a dwelling would appreciably increase the width of the building and extend close towards the shared boundary with No 23. The blank west facing elevation of the proposed dwelling would run parallel along a significant proportion of the shared boundary, with only a narrow setback. Though hipped, the addition of a steeper pitched roof design would add additional height and further mass to the building. A 1.8-metre-tall fence/wall is also proposed along the shared boundary. Given the difference in site levels, this would appear taller from No 23 and further enclose the rear garden area of this neighbouring property.

6. The appellant contends that a fence could be erected in any event under permitted development rights. While this would be a potential fallback position, it would not justify the harm to outlook arising from the proposed dwelling itself. Likewise, the appellant has indicated that the boundary fence could be reduced in height to 1.1 metres, which would reduce some of the harmful impacts of the development. Nevertheless, this would then have a harmful effect on the privacy of neighbours.
7. The proposed development would ultimately appear unduly bulky and overbearing from No 23 and would have a deleterious effect on outlook from its rear facing windows and the rear garden area. Due to its position to the east of No 23 and proximity to the shared boundary, the proposed development would also cast additional shadow over this neighbouring property at certain times, particularly when the sun is lower in the sky to the east.
8. While openings are proposed in the north-west and south-west facing elevations of the proposed dwelling to serve the living spaces, these would be at sufficient distance from and/or not directly face neighbouring dwellings, or their immediate rear garden areas. Moreover, views would be significantly screened by the proposed boundary fence/wall. The proposal would thus not unduly harm the privacy of neighbouring occupiers.
9. While the proposal would not significantly curtail the privacy of neighbouring properties, it would ultimately have a harmful effect on the living conditions of the occupiers of 23 West View Avenue, with particular regard to outlook and natural light. It would conflict with Policy DS5 of the Local Plan for the Bradford District Core Strategy Development Plan Document Adopted July 2017. This policy, among other provisions, seeks to ensure that proposals make a positive contribution to people's lives through high quality, inclusive design, including by not harming the amenity of existing or prospective users and residents.

Conclusion

10. The proposal would conflict with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR