



Appeal Decision

Site visit made on 9 January 2026

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th February 2026

Appeal Ref: APP/W4705/W/25/3375627

2 Park Dale, Menston, Bradford, Ilkley LS29 6LW

- 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 Stephen Michael Geering against the decision of City of Bradford Metropolitan District Council.
 - The application ref is 24/04732/FUL.
 - The development proposed is described as: Proposed Detached Dormer Bungalow to Side Garden Plot at 2 Park Dale, Menston.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on the character and appearance of the area;
 - the effect of the proposal on the living conditions of the occupiers of Memorial Cottage, 4A Park Road, with specific regard to outlook, daylight and sunlight, and privacy; and
 - whether the proposal would achieve the requisite biodiversity net gain objective.

Reasons

Character and Appearance

3. The appeal site forms an open area of land adjacent to the side elevations of 2 Park Dale (No 2) and Memorial Cottage, 4A Park Road (No 4A) on the junction of Park Dale and Park Road. The entrance to Park Dale from Park Road is characterised by two large grassed areas flanking the highway, giving the dwellings along Park Dale a setback relationship to Park Road, creating a sense of spaciousness. The dwellings forming Park Dale are mostly detached within spacious plots and similar in their architecture and materials palette. In contrast, No 4A and neighbouring properties along Park Road appear notably different, with a lower profile and distinctive squat form. The appeal site serves to visually separate the dwellings of Park Dale from those along Park Road.
4. The proposal would be located close to the side elevations of No 2 and No 4A. It would have a similar forward building line to that of No 2, appearing a continuation of development along Park Dale. Nonetheless, it would have a significantly smaller

footprint to the majority of the dwellings along Park Dale in addition to being within a more confined plot, appearing discordant and out of character to these larger dwellings within spacious plots.

5. Whilst set back from Park Road to some degree, the proposal would occupy part of the large grassed area between the highway and side elevation of No 2, eroding the existing spaciousness. Despite the existing planting along the boundary with Park Road, given its height, set over two floors, and proximity to the highway, the proposal would appear prominent when viewed from Park Road. Whilst the proposal would be a similar height to No 4A, the first-floor accommodation with front dormers results in a more vertical form in addition to its side orientation to Park Road. As such, the proposed dwelling would appear out of character with No 4A when viewed from Park Road both in relation to its form and relationship to the highway.
6. I note that amendments have been made to the proposal including a re-positioning and reduction in height in contrast to a previous application, and that the materials and detailing would be similar to that of the dwellings along Park Dale. Nonetheless, this does not outweigh the above identified harm.
7. The dwellings surrounding other permissions referred to by the appellant possess a closer spatial relationship to the highway in comparison to No 2 and Park Road. The appellant refers to two other permissions for a two-story dwelling near the appeal site. There is a much larger distance between this dwelling and neighbouring properties, and it is not located on such a prominent junction as the appeal site. As such, these approvals are not comparable to the appeal before me. Further, there is no evidence before me to indicate that the considerations were the same as this appeal.
8. For the above reasons, the proposal would harm the character and appearance of the area. As such, it would conflict with Policies DS1 and DS3 of the Core Strategy Development Plan Document (2017) (Core Strategy) which relate broadly to the effect of proposals on character and appearance, and are therefore relevant to the appeal before me. When read together these policies require development to respond to existing positive patterns of development which contribute to the character of the area. The proposal would additionally conflict with the Homes and Neighbourhoods: A guide to designing in Bradford (2020) (Design Guide) which when read as a whole requires development to respond positively to the site and its context.

Living Conditions

9. The proposal would be close to the shared boundary with No 4A. No 4A is a single storey property with a small rear garden and windows within the side elevation facing the appeal site. Whilst sunlight may be limited to these openings and rear garden given the relationship of the appeal site to the northeast, the open nature means that levels of daylight and outlook from this direction are good.
10. The proposal would be located close to the boundary of No 4A adjacent to the side elevation and rear garden. Given its proximity and scale with accommodation over two floors, the proposal would project above the existing limited planting along this boundary, appearing overbearing and oppressive when viewed from the side windows and rear garden of No 4A. Further, from my observations on site, existing levels of daylight would be reduced to these openings. Nothing has been provided

to lead me to a different conclusion. Given the northeastern relationship of the appeal site, the effect of the proposal on levels of sunlight would most likely be limited.

11. A single door is located within the rear elevation of the appeal development facing the side elevation of No 4A with no other openings proposed within this elevation. This door serves a utility room and would therefore not be utilised as a habitable room with its use likely of a transient nature. Therefore, the proposal would not harm the privacy of the occupiers of No 4A.
12. Taking all of the above into account, the proposal would have an unacceptable effect on the outlook and daylight enjoyed by the occupiers of No 4A. Therefore, it would conflict with the relevant provisions of Policy DS5 of the Core Strategy which requires development to not harm the living conditions of residents. The proposal would additionally conflict with the Design Guide which when read as a whole requires development to give careful consideration to living conditions.

Biodiversity

13. Policy EN2 of the Core Strategy requires proposals to contribute positively towards the enhancement of biodiversity. This is supported by the National Planning Policy Framework (the Framework) which requires decisions to provide net gain in biodiversity.
14. The relevant primary legislation for the statutory framework for biodiversity net gain is principally set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
15. Based on the information available, the proposal is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply. As such, the application must be accompanied by minimum information set out in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015. This information includes such information as pre-development biodiversity values and a completed metric calculation tool, which are absent from the appeal before me.
16. Given the absence of the required biodiversity information, I am not satisfied that the biodiversity gain objective would be met. Whilst the appellant contends that the Council did not specifically request additional technical information, it is clear from the aforementioned legislation what is required.
17. As such, the proposal fails to demonstrate that the requisite biodiversity net gain objective would be achieved. It would therefore conflict with the relevant provisions of Policy EN2 of the Core Strategy and the Framework.

Other Matters

18. The appellant contends that the local community have no issue with this proposal, with no objection raised from the Parish Council. I further acknowledge third party

representations supporting the proposal. Nonetheless, these do not justify the above identified harm.

19. Whilst the proposal would contribute a smaller single dwelling with good access to local services to the existing housing stock, given the scale of the proposal this benefit would be limited and not outweigh the above identified harm.
20. A Unilateral Undertaking (UU) has been provided which seeks to provide a sum towards non-infrastructure measures to mitigate the impacts of the proposal on the South Pennine Moors Special Protection Area. Taking into account the Council's questionnaire, there is no evidence that such payment is required. The UU has not been completed in any event.

Conclusion

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

N Unwin

INSPECTOR