
Appeal Decision

Site visit made on 3 November 2016

by Philip Lewis BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 November 2016

Appeal Ref: APP/N4720/D/16/3156692
55 Copgrove Road, Gipton, Leeds LS8 2ST

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Z Iqbal against the decision of Leeds City Council.
 - The application Ref 16/02737/FU, dated 28 April 2016, was refused by notice dated 20 July 2016.
 - The development proposed was originally described as '*retrospective application – side, rear double storey extension and loft conversion*'.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I saw at my site visit that whilst internal works were continuing at the property, the development has substantially taken place. I have based my decision on what I saw on site together with the submitted plans and details.
3. I note that in the appellant's grounds of appeal, reference is made to a consultants supporting statement. However, this was not received with the appeal. Although I wrote to the appellant in this regard, no such document has been provided and I have dealt with the appeal on the basis of submitted documents.

Main Issues

4. The main issues for the appeal are:
 - The effect of the appeal scheme on the living conditions of the occupiers of 57 Copgrove Road, with particular reference to any dominating, overbearing or overshadowing effects;
 - The effect of the appeal scheme on the character and appearance of the area; and
 - The effect of the development on highway safety with particular reference to parking.

Reasons

Living conditions

5. 55 Copgrove Road is a two storey semi-detached dwelling. A two storey rear extension has been built close to the common boundary with the attached 57
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Copgrove Road. Above this and set in away from the boundary with No 57 is a gabled dormer. I saw at my site visit that there is a significant difference in levels between the front and the rear of the dwellings, with the gardens to the rear being at a considerably lower level and sloping down further away from the backs of the houses.

6. At my site visit I viewed the appeal scheme from the rear garden of the neighbouring No 57. I observed that the rear two storey extension presents a significant expanse of flank wall to the rear garden of No 57. I consider that due to its height and depth close to the common boundary the extension appears dominant and gives rise to significant enclosing and overbearing effects for the occupiers of No 57 and particularly to the rear private amenity area. I also consider that due to the position of the extension in respect of No 57 and the orientation of the dwellings, it will give rise to harm due to overshadowing of the rear amenity space of No 57 and give rise to an unacceptable sense of enclosure for its occupants.
7. To conclude on this matter, I consider that the two storey rear extension has an unacceptable effect upon the living conditions of the occupiers of No 57 Copgrove Road. The proposal therefore conflicts with Leeds City Council Local Development Framework Core Strategy Development Plan Document 2014 (Core Strategy) Policy P10 which includes that development protects residential amenity. It also conflicts with Leeds Unitary Development Plan (UDP) 2006 saved Policy GP5 which includes that development proposals should resolve detailed planning considerations. The proposal also fails to accord with the guidance set out in HDG2 of the Leeds Local Development Framework Householder Design Guide (HDG) which is concerned with the protection of amenity.

Character and appearance

8. I saw during my site visit that Copgrove Road consists predominantly of two storey semi-detached dwellings of varying styles and designs. The appeal property is one of a pair of dwellings with projecting front bay windows and the submitted plans indicate it originally had a hipped roof. The roof has been extended out to form a gable and a two storey gabled side extension added.
9. Whilst the addition of the gable and side extension affect the symmetry of the pair of dwellings when viewed from the street, I noted during my site visit that there are several examples of similar changes to the roofs of dwellings nearby on the street. Given that the side extension has been built with a lower ridge height and is set back from the front of the dwelling, it appears subservient. Consequently, I do not consider that the changes made to the appearance of the dwelling visible in the street scene are unacceptable in terms of the effect upon the character and appearance of the area.
10. The rear gable extension and box dormer have introduced significant changes to the rear of the dwelling. When combined with the rear two storey extension these add considerable additional bulk and an uncomfortable mix of elements to the rear of the property.
11. To conclude on this matter, I find that the appeal scheme is harmful to the character and appearance of the area. The appeal proposal therefore conflicts with Core Strategy Policy P10, saved UDP Policy GP5 and saved UDP Policy BD6 which states that all alterations and extensions should respect the scale, form,

detailing and materials of the original building. The proposal also fails to accord with the guidance in the HDG in respect of the design and appearance of extensions.

Highway safety

12. I saw at my site visit that whilst Copgrove Road has a relatively narrow carriageway width, unrestricted on-street parking typically takes place to one side of the street, with vehicles also being parked on the opposite wide verge. The appeal property has a driveway to the front which accesses the street via a vehicle crossover. Whilst I have considered the concerns of the Council regarding the proposal giving rise to additional parking on the highway due to the loss of off-street parking and consequent effects on the safe and free flow of traffic and the safety of pedestrians, I have not been provided with any substantial evidence in respect of any parking stress or associated problems in the area.
13. I observed during my site visit that the part of the driveway has been retained allowing for some continued off-street parking provision at the property. On the balance of the limited evidence before me, I am unconvinced that the proposal would have a significant effect upon highway safety by increasing demand for on-street parking. The proposal therefore does not conflict with Core Strategy Policy P10, in part, in that it is concerned with design including that car parking is integral to development and Policy T2 which is concerned with transport implications of new development. This however does not outweigh my conclusions in respect of living conditions and character and appearance.

Other matters

14. I have considered the appellants comments regarding pre-application inquiries and the previous planning permission for development at the site and that errors and misunderstandings have led to the building works undertaken. However, this does not lead me to a different conclusion.

Conclusion

15. For the above reasons and having considered all matters raised, I consider that the appeal should be dismissed.

Philip Lewis

INSPECTOR