
Appeal Decision

Site visit made on 15 November 2016

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 5 December 2016

Appeal Ref: APP/N4720/D/16/3159748

Ebor Stone, 2 Butts Garth Walk, Thorner, Leeds LS14 3BT

- 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 & Mrs Sinclair Morris against the decision of Leeds City Council.
 - The application Ref 16/03677/FU, dated 9 June 2016, was refused by notice dated 29 July 2016.
 - The development proposed is a two storey extension over garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and surrounding area, with particular regard to its location within the Thorner Conservation Area.

Reasons

3. The site is located within the Thorner Conservation Area (CA). The site is located on a back lane containing a mixture of properties of varying age and character representative of the development of the village over time from its medieval origins and which contribute to the importance of the CA as a designated heritage asset.
 4. The appeal property is a detached house with a ground floor garage extension to the side. The property is adjacent to 5 Camp Square, which is a substantial stone built dwelling and which has the appearance of being part of a short terrace of properties. Although the appeal property and No 5 use similar materials, they are clearly of different eras and design. The gap between the properties serves to emphasise this difference to the benefit of the character and setting of the appeal property and No 5.
 5. Although the proposed extension would be built within the footprint of the existing garage, it would significantly reduce the gap with No 5 at first floor and roof level. Whilst a gap would be retained between the properties, this would be relatively narrow and would not overcome a terracing effect that would arise due to the scale and proximity of the extension to the neighbouring building. This terracing would lead to a clash of different styles which would be
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- detrimental to the character and appearance of the host dwelling and No 5 as well as the CA.
6. Furthermore, a transverse gable at first floor and roof level would detract from the clean roof line and eaves line of the host dwelling and No 5. When combined with the terracing effect of the extension, this gable would appear as an incongruous and intrusive feature that would be overdominant in relation to No 5 and would detract from its character and setting.
 7. The appellants state that views of the extension would be limited due to a high boundary wall around the property. However, I saw on my site visit that the extension would be visible from the access track leading to the property. The extension would also be visible from the front garden of No 5. I am mindful that the appellants have offered to plant trees along the boundary to obscure views of the house. However, the long term retention of this landscaping cannot be relied upon and in any event I consider it would have a limited effect due to the height of the extension.
 8. The appellants have referred to a previous permission for a two storey side extension to the property which included transverse gables to the roof (ref 09/03777/FU – dated 21 January 2010). However, based on the evidence before me, this related to the side of the dwelling located furthest away from No 5, so that concerns relating to the terracing effect and the relationship between the properties identified above would not arise.
 9. In support of the appeal, my attention has been drawn to other dwellings within the CA which have transverse gables. Similarly, the appellants have also referred to gaps between properties elsewhere in the CA. However, based on the photographs provided to me and my observations on site, these do not appear to raise the same issues as to the relationship with adjacent properties or a clash of divergent styles. I consider that the circumstances that apply to the examples referred to are not directly comparable to the development before me, and in any case I have determined the appeal on its own merits.
 10. I conclude that the proposal would be harmful to the character and appearance of the host property and the surrounding area, particularly due to the unsympathetic relationship with No 5. It would also fail to preserve or enhance the character and appearance of the CA. Whilst the harm to the CA would be less than substantial there are no benefits arising from the proposal that would outweigh this harm.
 11. The proposal is therefore contrary to Policy GP5 of the Leeds Unitary Development Plan Review 2006 (UDP) which seeks to promote design as well as Policy BD6 which states that extensions should respect the scale, form and detailing of the original building. The proposal would also conflict with policy N19 of the UDP which requires extensions to preserve or enhance the CA. The proposal would also conflict with Policy P10 of the Leeds Core Strategy 2014 which promotes good design as well as Policy P11 which states that the historic environment should be conserved and enhanced. These policies are broadly consistent with the National Planning Policy Framework in relation to requiring good design and the conservation of the historic environment.
 12. The proposal would also conflict with the advice of Policy HDG1 of the Leeds Householder Design Guide which states that extensions which harm the character and appearance of the main dwelling or the locality will be resisted.

13. I have also taken into account concerns raised locally in relation to an increase in levels of occupation of the property and an increase in traffic, however these do not add to my reasons for dismissing this appeal.
14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR