
Appeal Decision

Site visit made on 5 November 2019

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 November 2019

Appeal Ref: APP/N4720/D/19/3235555
58 South Parade, Pudsey LS28 8NZ

- 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 Priestley against the decision of Leeds City Council.
 - The application Ref 19/02972/FU, dated 13 May 2019, was refused by notice dated 19 July 2019.
 - The development proposed is the removal of existing small glazed extension and partial removal of existing larger rear extension to be replaced with glazed extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposed development on:
 - the character and appearance of Pudsey Conservation Area; and
 - the living conditions of the occupants of 60 South Parade particularly in relation to dominance and overshadowing.

Reasons

Character and Appearance

3. The appeal property is part of a row of stone terraced houses of similar scale and form located on South Parade in the Pudsey Conservation area (PCA). Outwardly, it is a mid-terraced two storey structure with single storey rear 'extension'. The 'extension' spans the boundary with the next-door property to create an attractive 'coupled' pitched roofed structure. Approximately half of the row of terraces have similar single storey rear projections. As a whole these rear 'extensions' or outriggers provide a unifying character and rhythm to the rear elevations. Their similar form, projection, materials and pitched roof design positively contribute to the significance of the conservation area.
4. The proposed extension would replace the existing lean-to with a mainly glass extension constructed on a low wall set in from the side boundary. The floor level would be altered to allow the extension roof to connect into the existing structure at eaves height. Although some of the properties, including the appeal site, have been extended to the side of the rear outriggers these additions are set back so that the outrigger remains the most prominent feature of the elevations. In contrast, the proposed extension would project out to the full depth of the outrigger. It would be a more prominent mass so that

the relative prominence of the outrigger would be diminished. This would upset the typical hierarchy of the rear elevations and detract from the rhythm and unifying character I have identified.

5. The proposed development would be visible from the rear access although it would not be visible from more public vantage points, being in a run of gardens set to the rear of houses. Nonetheless, the harmful effects of the structure would be apparent from a significant number of properties that have windows and garden areas adjacent to the site. Consequently, I find that the proposed development would harm the character and appearance of the PCA.
6. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, requires that I pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. PCA is a designated heritage asset as defined in the National Planning Policy Framework (The Framework). Paragraph 193 states that great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. The harm I have identified to the significance of the conservation area in the terminology of the Framework would be less than substantial. The Framework requires that less than substantial harm be weighed against the public benefits.
7. The appellant indicates that the extension, if it were to be a lesser projection, would not allow for the building to be upgraded in the way required to meet their needs. Primarily, this proposal would provide a private benefit for the occupants. However, to the extent that allowing building upgrades to meet modern living requirements might constitute a public benefit, this carries only limited weight in this case, insufficient to outweigh the harm to the PCA.
8. Overall the proposal would fail to preserve or enhance the character and appearance of the PCA. I conclude that the proposed rear extension would conflict with Policies P10 and P11 of the Leeds Local Development Framework Core Strategy (CS) November 2014 and saved Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan (Review 2006) (UDP) and the Householder Design Guide Supplementary Planning Document April 2012 (SPD). These collectively seek development appropriate to its context, which conserves and enhances heritage assets and respects character and appearance. The policies are consistent with the design and heritage objectives of the Framework with which the proposal also conflicts.

Living Conditions

9. To accommodate changes in levels the South Parade terrace steps down at various points along its length. Between the appeal site and No 60 South Parade (No 60) there is a reasonably significant change in levels so that No 60 is lower. The rear outrigger at No 60 has a kitchen window and back door facing towards the appeal site. In its rear elevation it has a large living room window. The boundary between the two properties is demarcated by a stone wall with trellis on top. The existing lean-to extension at the appeal property is close to the boundary with No 60. Because of the original outriggers and the subsequent extension and boundary treatment, the space between buildings is intimate.

10. The scheme would replace a higher structure with a longer lower structure marginally closer to the boundary. Although the extension would be seen from the adjacent kitchen and living room windows, because of its form and the existing arrangement between the properties, it would not appear as a dominant feature from those areas. Further, the design of the extension when compared to the existing site arrangement would not significantly change the relationship with No 60 with regard to overshadowing.
11. For these reasons, I conclude that the extension would not have an adverse impact on the living conditions of No 60 in relation to dominance and overshadowing. In this respect the development would accord with Policy P10 of the CS, Policy GP5 of the UDP and HDG2 of the SPD which seek, among other things, to protect amenity. In this respect the policies are consistent with the objectives of the National Planning Policy Framework to which the proposal also accords.

Conclusion

12. I find that the proposed development would harm the character and appearance of the PCA. While I have found no harm in respect of the living conditions of No 60, this does not outweigh the harm identified. Therefore, for the reasons given above, the appeal is dismissed.

Diane Cragg

INSPECTOR