The Planning Inspectorate

Appeal Decision

Site visit made on 27 January 2020 by C McDonagh BA (Hons), MA

by Chris Hoult BA(Hons) BPhil MRTPI MIQ

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/N4720/D/19/3240122
2 Manor Barn, Station Lane, Thorner, Leeds, LS14 3JF

- 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 James Khan against the decision of Leeds City Council.
- The application Ref 19/02514/FU, dated 18 April 2019, was refused by notice dated 9 August 2019.
- The development proposed is first floor side extension to dwelling.

Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension to a dwelling at 2 Manor Barn, Station Lane, Thorner, Leeds, LS14 3JF in accordance with the terms of application ref: 19/02514/FU, dated 18 April 2019 and subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan; proposed floor plan, drawing no. 1631/3A; proposed elevation plan, drawing no.1631/4A.

   3) No development shall take place until samples of the materials to be used in the construction of the external walls and roofs of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property and therefore whether the proposal would preserve or enhance the character and appearance of the Thorner Conservation Area (CA).

Reasons

4. The appeal property is a predominantly two-storey barn conversion of coursed stone construction, located on the corner of Carr Lane and Station Lane. The proposed development entails the erection of a first-floor extension over the existing single-storey conservatory and outbuilding to form an annex. The proposed materials would match those existing.

5. At present, the front elevation forms a strong boundary located to the back of the footpath. However, this is punctuated by three separate roof pitches, orientations and heights. While I note variation of roof eaves is described in the CA Appraisal within the Church View subsection as a characteristic, the conservatory is particularly at odds with the host building and outbuilding and does not contribute to this established character in a positive manner. Moreover, the first-floor extension would also be set-back from the existing retaining wall to the front, aligned with the main building line of the dwelling, while also being set-down from the ridge of the host roof. This would allow it to remain subservient to its host and soften the introduction of additional mass at first-floor level. The proposed extension would therefore add uniformity and coherence to the appearance of the host building when viewed from Carr Lane.

6. Furthermore, the use of matching materials in the construction of the proposal would appear more in keeping with the host property and local vernacular when compared to the brown-framed and glass appearance of the conservatory. I note the CA Appraisal identifies the host property as making a positive contribution to the character of the CA. However, the design would allow a more coherent building to emerge. I note the Council's concern regarding the loss of an outbuilding of seemingly rural or agricultural origins to facilitate this development. However, there have been previous amendments and extensions to the building which have diminished its significance and considering its current use and appearance, the loss of this building would not harm the CA. The re-use of stone in the construction of the extension would further assimilate the new structure into the street scene.

7. In light of the above, I conclude that the proposed development would not adversely affect the character and appearance of the host dwelling and would preserve the character and appearance of the CA. Consequently, the development would meet the statutory tests set out in the Act and would accord with Policies P10 and P11 of the Leeds Core Strategy (CS) (2014), policies GP5, N19, N20 and BD6 of the Leeds Unitary Development Plan Review (UDPR) (2006) and the aims of the National Planning Policy Framework. Amongst other things, these seek to ensure the scale of extensions and materials used are appropriate to the area and sympathetic to adjoining buildings and promote development which protects the district's existing historic assets.

Other Matter

8. The Council makes reference to the development's impact upon the setting of a nearby Listed Building. No reference is made in the officer report to a specific building, although this would appear to relate to Tithe Barn located further along Station Lane. This impact upon the setting of the Listed Building was not given as a reason for refusal; however, Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the building, or its setting.

9. I did view the exterior of the barn on the site visit from the street, but this has undergone extensive renovations and has been converted into dwellings. The listing description before me indicates much of the significance of the barn was in its interior timber structures, with the exterior and its setting changed significantly in the 20th century. As such, I would not consider the construction of the extension at Manor Barn to harm the setting of the Listed Building.

Conditions and Recommendation

10. In the interests of proper planning and to provide certainty I have recommended the standard time limit condition and have specified the approved plans. In order to preserve the character and appearance of the CA, a condition requiring the agreement of external materials through samples to the Council is also necessary.

11. I note the objections of neighbours that there would be an increase of overlooking as a result of the first-floor extension affording views towards 2a Tithe Barn. However, from my observations there already exists overlooking on both sides, with windows of both properties facing one another. Given the extension would be further from 2a Tithe Barn due to its orientation and views would be of a parking area, I would not consider a requirement for obscure glazing, as suggested by the Council, necessary.

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to these conditions.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

C M Hoult

INSPECTOR