



Appeal Decision

Site Visit made on 5 October 2020

by A Parkin BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2020

Appeal Ref: APP/N4720/D/20/3256833
23 New Occupation Lane, Pudsey LS28 8HR

- 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 Shaffner against the decision of Leeds City Council.
 - The application Ref 20/02914/FU, dated 15 May 2020, was refused by notice dated 16 July 2020.
 - The development proposed is described as a 'hipped to gable, loft conversion, two storey extension and rear dormer'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's officer report lists a Lawful Development Certificate (LDC) for *an extension to gable and dormer window to rear; rooflight to front* that was approved at the appeal property¹. When I visited the appeal site, I noted that the hipped roof of the appeal building shown on the existing plans and elevations had been replaced with a gable roof. Furthermore, a dormer extension, including a Juliet balcony and a separate rear window had been erected on the rear slope of this gable roof.
3. The Council's officer report noted the property had a hip-to-gable extension but made no comments as to whether these works were the ones covered by the LDC or were otherwise lawful; the appellant has not addressed this matter either. The works I observed are shown as part of the appeal proposal, alongside a 2-storey side and rear extension and associated elevational works.
4. Regardless of the above, I have determined this appeal on the basis of the submitted drawings that the Council has listed on the appeal questionnaire, which are consistent with the appellant's description of development on the application form.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the area.

¹ LPA Ref. 20/02700/CLP

Reasons

6. The appeal building is located in a predominantly residential area containing a range of different dwelling types and designs, including short terraces and detached and semi-detached dwellings. A footpath runs alongside the appeal property to the north next to an area of scrubland, with a commercial property beyond this, where Occupation Lane turns into New Occupation Lane. The area has a hilly topography, with New Occupation Lane sloping downhill in a generally north to south direction.
7. The appeal building is positioned at the northern end of a short terrace of traditional, garden-fronted dwellings, with 2-storey bay features. The original design of the terrace included a hipped roof at either end and with two shared chimney stacks on each roof slope; the two end properties both have vehicular drives to their side leading to rear garages.
8. Each of the four dwellings has a somewhat different appearance in terms of fenestration and surface materials. However, in views from both the front and rear, there is a visual coherence to the terrace.
9. The development would convert the existing hipped roof to a gable and extend this over much of the driveway to the side, blocking vehicular access to the rear. A 2-storey gable outrigger would project from the rear of the side extension, with a ridge height lower than that of the main building. A rear box dormer with a Juliet balcony and separate window would be inserted onto the rear roofslope and would extend across most of the original building width.
10. The appeal building and the terrace are seen within the visual context of this part of New Occupation Lane, including the sloping ground, the nearby dwellings and the space and commercial buildings to the north. However, the design, scale and massing of the proposed works would be a disproportionate addition to the host building, significantly increasing its size and changing its appearance in views from the front, side and rear. Furthermore, in views from the front and the rear, the proposed works would be over-dominant and incongruous, unbalancing the terrace and significantly detracting from its appearance.
11. There are no drawn details of the works covered by the aforementioned LDC, which would allow for the alteration of the appeal building and so would change the visual appearance of it and the terrace to some extent. However, the appeal proposal would be appreciably greater in scope and would compound the visual impact of these changes considerably.
12. For these reasons the proposed development would adversely affect the character and appearance of the area. It would, therefore, conflict with Policies GP5 (general development requirements) and BD6 (alterations and extensions) contained in the Leeds UDP Review 2006, with Policy P10 (design) of the Leeds Core Strategy 2014.

Other Matters

13. The appellant sought to replace their Appeal Statement with a revised version around the time of my site visit. The original Statement was said to be incomplete, but no explanation was provided for why an incomplete Statement was submitted when the appeal was made.

14. With reference to the procedural guidance² there is no reason for me to accept such a substitution which, in any event, would not alter the effect of the proposal on the character and appearance of the area. I have determined the appeal on the basis of the originally submitted information.

Conclusion

15. For the reasons given above, and taking into account all relevant matters, I conclude the appeal is dismissed.

Andrew Parkin

INSPECTOR

² Procedural Guide Planning Appeals – England July 2020