



Appeal Decision

Site Visit made on 26 October 2020 by Hilary Senior BA (Hons) MCD MRTPI

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 December 2020

Appeal Ref: APP/N4720/W/20/3258054

151-153 Cardigan Road, Headingley, Leeds LS6 1LJ

- 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 Dr Roy Tucker of Leeds Property Rentals against the decision of Leeds City Council.
 - The application Ref 19/07546/FU, dated 6 December 2019, was refused by notice dated 21 February 2020.
 - The development proposed is described as: "The proposal is to put an extension on the rear of the property. This will replace the existing smaller extensions. Combined with the existing planning permissions in place (for Dormer windows 19/01964/FU and conversion to flats 17/07460/DPD) the proposal will increase the living space and size of all flats, it will also add additional bed spaces to three of the flats (a total of 3 additional bedrooms). Work has already begun on the property in September 2018 (in terms of stripping out and preparatory work) but no work has begun specifically on this extension to which this planning application relates."
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Decision

1. The appeal is dismissed.

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 Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of 151-153 Cardigan Road and the surrounding area, and
 - the effect of the proposal on the living conditions of the nearby occupiers with particular regard to overlooking and visual impact.

Reasons

Character and appearance

4. 151-153 Cardigan Road was formally two properties at the end of a terrace, in an area with a mix of uses. At the time of the site visit the property was undergoing a conversion from office use to residential, granted under a

- previous approval. The rear of the property abuts Back Beamsley Grove, which allows rear access to properties on both Cardigan Road and Beamsley Grove.
5. The appeal proposal would include a two storey rear extension, which would extend the full width of the rear of the property and close to the rear boundary. It would include a narrow set back to allow for the guttering to be within the site. Due to a variation in levels the extension would accommodate three floors of flats, a basement level and two floors with set in balconies.
 6. The rear of the terrace is a regular form with characteristic small, single storey flat roofed outriggers. The main rear walls of the properties are also set back for the edge of the highway by the presence of the rear yards set behind low walls. This allows the buildings to be separated from those on the opposite side of the road.
 7. Whilst other properties extend to the boundary with Back Beamsley Grove, these extensions are small single storey additions to the rear elevation. In contrast the proposal would extend to the full width and height of the property and would create a visually bulky and overbearing structure to the rear of the properties which would not be subservient to the host property. In addition, the proposed recessed balconies and metal roof would be out of keeping with the rest of the terrace.
 8. I note that the adjacent building known as the Cardigan Centre has been extended to the rear to a similar depth as the appeal proposal and includes a metal roof. However, this building is separated from the terrace and is lower in height. It is therefore less dominant in the street scene.
 9. I therefore conclude that the proposal would harm the character and appearance 151-153 Cardigan Road and the surrounding area. It would be contrary to Policy P10 of the Leeds Core Strategy (2014), saved Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006), and advice contained within the National Planning Policy Framework (the Framework). Collectively, these seek to ensure extensions are of high-quality design and respectful of the original scale of their hosts while being sympathetic to local character.

Living conditions

10. The rear elevations of 11,13,15 and 17 Beamsley Grove are separated from the highway by a short garden area. The highway, Back Beamsley Grove, between these dwellings and the host property is narrow. This gives a limited distance between the properties and the construction of the proposal would reduce this distance to an unacceptable degree. Due to the proximity with the rear boundary of the site and the presence of the proposed inset balconies on the first and second floors along with other windows, the proposal would increase overlooking, for occupiers of both the proposed flats and existing dwellings at 11,13,15 and 17 Beamsley Grove.
11. The proximity of the extension to the boundary of 155 Cardigan Road, as well as its bulk and massing would result in an overbearing structure when viewed from both the habitable rooms and the rear amenity space of the adjoining property.
12. I therefore conclude that the proposal would result in significant harm to the living conditions of the neighbouring occupiers with regard to overlooking and

visual impact. Consequently, it would be contrary to Policy P10 of the Leeds Core Strategy (2014), saved Policy GP5 of the Leeds Unitary Development Plan Review (2006) and the Framework which seek, amongst other things, to ensure a high standard of amenity for existing and future residents.

Other Matters

13. Whilst I note that there are no formal objections from the current neighbours, the Framework requires that development creates places that provide a high standard of amenity for both existing and future users.

Conclusion and Recommendation

14. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR