

Appeal Decision

Site Visit made on 16 November 2020 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/N4720/D/20/3259927 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 Sam Shaffner against the decision of Leeds City Council.
 - The application Ref 20/04622/FU, dated 29 July 2020, was refused by notice dated 16 September 2020.
 - The development proposed is proposed hipped to gable, loft conversion, two storey extension and rear dormer.
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Decision

1. The appeal is allowed and planning permission is granted for hip to gable extension, loft conversion, two storey extension and rear dormer at 23 New Occupation Lane, Pudsey, LS28 8HR in accordance with the terms of the application, Ref 20/04622/FU, dated 29 July 2020, 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: 9031/03E and 9031/04E except where altered by condition 3.
 3. The side facing arched window at first floor/attic level indicated on drawing No 931/04E shall be omitted from the proposal.
 4. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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.

Procedural Matters

3. A Certificate of Proposed Lawful Development was issued on 3 July 2020 at the appeal property for roof alterations¹. At the site visit I noted that the

¹ LPA Ref. 20/02700/CLP

alterations had been made to the roof replacing the hipped roof with a gable roof and a rear dormer extension with Juliet balcony and rear window.

4. In determining this appeal, I have had regard to a recent appeal decision² for a similar proposal at the appeal property. There are significant differences between the previous and current proposals, including the position of the front door, the depth of the first-floor rear extension and the window arrangement on the ground floor of the side elevation.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of 23 New Occupation Road and the wider area.

Reasons

6. The appeal building is located in a predominantly residential area characterised by a mix of housing types and ages. To the side of the property is a footpath with an open area beyond. It is close to the junction with Occupation Lane, where there is some commercial property.
7. 23 New Occupation Road is the end property of a short terrace of four houses. The terrace is characterised by two-storey bay features and, symmetrically designed, both ends of the terrace originally had hipped roofs. However, the appeal property has previously been extended and now has a gable roof, as described above. The proposal would, in effect, widen the property and would replicate the gable roof.
8. I acknowledge the Council's view that a hipped roof would have been the preferred option on this extension in order to visually re-balance the terrace. However, I can only consider the proposal on the basis of the plans before me. Given that, due to the alterations of the property previously allowed, the hipped roof has been replaced, the proposal would not cause additional harm to the character and appearance of the area in this respect. Moreover, I note that it would be seen in the context of a variety of roof forms including a half-hipped roof on the house opposite and prominent gables elsewhere in the street scene. On that basis the gable would not look incongruous or out of place.
9. The proposed side/rear extension would add bulk and massing to the rear and side elevations of the property. However, it would extend from the rear elevation by some 2m, less than a third of the existing depth of the terrace. Accordingly, it would not appear disproportionate or overly dominant when viewed from public vantage points. Even taking into account the existing alterations to the roof, the development would not be so excessive or incongruous that it would cause significant harm to the character and appearance of the building or wider terrace.
10. Whilst it would not entirely reflect the symmetry of the terrace, the revised location of the door and the size and scale of the windows would mean that the rhythm of the front elevation would be retained to a degree. Fenestration on the side elevation would consist of a series of small windows to the ground floor with an arched Georgian style window to the first and attic levels. This window would be wholly at odds with the age and character of the existing

² APP/N4720/D/20/3256833

dwelling in terms of its design and position on the building. However, I note that the appellant is willing to omit this feature from the proposal. The omission of the window is necessary to make the proposal acceptable and can be dealt with effectively by condition. I have sought the views of the Council on this matter and no objection has been raised.

11. For the above reasons, the proposal would not adversely affect the character and appearance of 23 New Occupation Road and the wider area. It would therefore not conflict with policy P10 of the Leeds Core Strategy (2014) or policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006) and with Policy HDG1 of the Householder Design Guide Supplementary Planning Document which, amongst other things, collectively seek to ensure that alterations are of an appropriate scale and design to the existing building and the wider context.

Conditions

12. In addition to the standard time period for commencement of the development, I have attached a condition requiring the development to accord with the approved plans, except for the arched side window, as this provides certainty. A condition specifically requiring the omission of the arched window is necessary to protect the character and appearance of the area. For the same reason, a condition requiring matching materials is also necessary.

Conclusion and Recommendation

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

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

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

Susan Ashworth

INSPECTOR