



Appeal Decision

Site Visit made on 12 May 2021

by Mr Mark Brooker BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 June 2021

Appeal Ref: APP/N4720/D/21/3269525

1 Rosedale Drive, Tingley, Wakefield, WF3 1WG

- 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 Peter Waites against the decision of Leeds City Council.
 - The application Ref 20/07856/FU, dated 26 November 2020, was refused by notice dated 22 January 2021.
 - The development proposed is described as “new second floor including raised roof height to form habitable rooms and dormer windows to front and rear; new window to first floor side elevation”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Part E of the appeal form details that the description of the development has not changed from that stated on the application form. However, a different description, that detailed in the banner heading above, has been entered. I have used this description because it more accurately describes the development proposed and has been used by the Council and the appellant in documentation accompanying the appeal.

Main Issue

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

Reasons

4. The appeal site is located at the entrance to a modern housing estate. Within the immediately surrounding area there is a mix of property styles and ages, including older properties on Haigh Moor Road and three storey properties on the adjacent Rosedale Court, in addition to the general mix of house types that make up the housing estate.
5. While the appellant refers to the absence of a “prevailing or regimented design” of housing in the area, I observed at the site visit that there is nonetheless a commonality in scale, mass and form of dwellings in the area.
6. The appellant details that the roof is proposed to be raised “by 1.375m, with the eaves height to remain unaltered”. The Council details that this would increase the roof from “1.8m (eaves to ridge) to 3.2m”. The submitted plans show that as a consequence, the pitch of the roof will be steeper by a substantial degree, out of proportion with the rest of the dwelling.

7. Furthermore, the submitted plans show that this will alter the scale and massing of the appeal property and, as a result of the location of the appeal site at the entrance to the estate, the resultant property would appear as a prominent and incongruous feature in the area.
8. The appellant suggests that the location of the appeal property at the entrance to the estate creates the scope for the appeal property to be more prominent in scale and design. However, the appeal site is nonetheless viewed within the context of other properties on Rosedale Drive and on Haigh Moor Road.
9. To conclude this main issue, for the reasons given above I find that the appeal scheme would harm the character and appearance of the area and is thus contrary to Policy P10 of the Leeds Core Strategy, Policies GP5 and BD6 of the Leeds UDPR and HDG1 of the Householder Design Guide that amongst other matters seeks to ensure that new development respects the local context.

Other Matters

10. The appellant's submissions explicitly state that materials to be used in the proposed development would match the existing property and that this could be controlled by way of a condition requiring the submission of materials to the Council for approval. This is a material consideration that weighs in favour of the proposal but does not outweigh the harm I have identified previously.
11. I note that following consultation with local residents by the Council, a single letter of objection was received. The appellant suggests that this indicates that other residents do not share the Council's concerns. Be that as it may, I note that no letters of support for the proposals have been received. The absence of objections from the occupiers of neighbouring properties does not persuade me as to the acceptability of the appeal scheme.
12. It is not at dispute between the main parties, though it is referred to in an objection from the occupier of a neighbouring property, that the proposed development would not result in unacceptable harm to the living conditions of the occupiers of neighbouring properties. The absence of harm in this respect does not however outweigh the harm I have identified previously.
13. I note that the appeal scheme would improve bedroom accommodation without extending the footprint of the appeal property. nonetheless the benefit of the improved accommodation is largely private, and I do not find that this outweighs the harm I have identified previously.

Conclusion

14. For the reasons given above I conclude that the appeal should be dismissed.

Mr M Brooker

INSPECTOR