



Appeal Decision

Site visit made on 17 August 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2021

Appeal Ref: APP/N4720/D/21/3277834
20 Birchroyd, Rothwell, Leeds LS26 0TF

- 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 Ablett against the decision of Leeds City Council.
 - The application Ref 21/02419/FU, dated 18 March 2021, was refused by notice dated 26 May 2021.
 - The development proposed is Erection of front and rear dormer. Erection of Single storey Side extension with associated works.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the time the appeal was submitted, the revised National Planning Policy Framework (the Framework) has been published in July 2021. My decision is made in the context of the revised Framework.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the street scene; and
 - The living conditions of neighbouring occupants with regards to overlooking and loss of privacy.

Reasons

Character and appearance

4. The appeal property is located in a planned residential estate in a cul-de-sac of bungalows that share the same characteristics, save for the presence of a more recent new build dwelling. No 20 is located in a corner position at the head of the cul-de-sac and is semi-detached. Both bungalows share a strong symmetry.
5. The dwelling is of modest scale. The proposal would seek to substantially increase the width of the dwelling together with the addition of a store that would only pose to further elongate the dwelling. The addition of a wide terrace above part of the space would highlight its incongruous appearance. The side

- extension proposed would harm the existing proportions of the dwelling and unbalance the characteristic symmetry of the pair of semis.
6. There are limited numbers of front dormer windows located within Birchroyd. Where they are present, they are small in scale and subservient to the host dwelling. The proposed front and rear dormers would add significant mass and bulk to the roof slope. In particular, the rear dormer would dominate the roof slope and appear uncharacteristically out of scale with the host dwelling.
 7. As a combination of proposed extensions, the existing character of the bungalow would harmfully change out of all recognition. This would be to the detriment of the host dwelling and to the distinctive and uniform character and appearance of the street scene.
 8. Other dormers and extensions cited as examples to compare do not share the same characteristics as the appeal site, and some are not located within the same street but in different neighbouring streets where dormers are much more apparent. In any case, the precise details of the circumstances of these examples are not before me.
 9. There may be an opportunity to extend the dwelling via the fallback position of permitted development. However, there is only very limited information on this to consider that would lead me to the view that this would be a real prospect to the appellants of a fallback development being carried out should planning permission for the proposed development be refused. I apply limited weight to this position.
 10. I appreciate the desire of the appellants wanting to increase the size of their home to meet their needs in the longer term. However, that is not to say this cannot be achieved by other means.
 11. To conclude, the proposal by virtue of unsympathetic extensions would not be a positive contribution to the host dwelling or to the character and appearance of the street scene. This is contrary to the design aims of the Leeds Core Strategy 2019 Policy P10, saved Unitary Development Plan Review 2006 policies GP5 and BD6, and Policy HDG1 of the Householder Design Guide Supplementary Planning Document 2012 (SPD). Finally, it would not meet the objectives of the National Planning Policy Framework to achieve well-designed places.

Living Conditions

12. The roof terrace would afford overlooking to both No 22 Birchroyd and No 19 Hawthorn. I note there is already an element of overlooking and loss of privacy to the external areas of these properties due to their relationship with the appeal property, and the limited boundary enclosures.
13. I would be satisfied that the proposed terrace could successfully mitigate overlooking and a loss of privacy by way of perimeter screen. The details could be secured by condition should I be minded to allow the appeal.
14. Therefore, to conclude on this main issue, the proposed terrace would not lead to overlooking and a loss of privacy arising to the occupiers of No 22 Birchroyd and No 19 Hawthorn to the detriment of their living conditions. The development would not be contrary to the Leeds Core Strategy policy P10, saved Unitary Development Plan Review 2006 Policy GP5 and Policy HDG2 of

the Householder Design Guide SPD in their combined aims to prevent loss of amenity and protect the living conditions of residents.

15. I find no direct relevance to Policy BD6 of the saved Unitary Development Plan Review 2006 as this relates only in so far as design matters.

Other Matters

16. Issues relating to the service received from the Council should be referred to them in the first instance and is not within my scope to comment.

Balance and Conclusion

17. I have found the proposal to result in no harm by way of its effect on the living conditions of local residents. However, an absence of harm in this regard is a neutral factor which weighs neither for nor against the appeal proposal. I have found harm in terms of the effect on the character and appearance of the host dwelling and to the street scene.
18. As the proposal would result in harm arising to the character and appearance of the local area, it would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR