



Appeal Decision

Site Visit made on 20 September 2021

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2021

Appeal Ref: APP/N4720/D/21/3275886

7 Croft Terrace, New Farnley, Leeds LS12 5DJ

- 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 Mrs C Bailey against the decision of Leeds City Council.
 - The application Ref 21/00430/FU, dated 18 January 2021, was refused by notice dated 15 March 2021.
 - The development proposed is part single storey, part two storey rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. In Part E of the appeal form it is stated that the description of the development has not changed. However, the wording from the Council's decision notice has been entered rather than that from the application form. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the Council's decision notice which succinctly and accurately describes the proposal.

Main Issues

3. The main issues are the effect of the proposal on:
 - The character and appearance of the surrounding area; and
 - The living conditions of the occupiers of No 6 and 8 Croft Terrace with particular reference to outlook.

Reasons

Character and appearance

4. The host property is a two-storey mid terrace dwelling located in a row of similar properties. The terrace group sits at the end of a shared access road and due to the land rising to the rear and the extent of tree coverage, the terrace group is viewed as an individual building group. It has a strongly defined attractive frontage and, despite some alterations, there remains a repetition and rhythm which contributes to its architectural interest.
5. The rear of the terrace group includes single and two-storey extensions and lacks the more strongly defined cohesiveness of the front. However, these existing extensions respect the character and proportions of the host properties by being subordinate in scale.

6. In contrast, the proposed two-storey extension would almost subsume the property's original rear elevation at the first floor. Although it would not project out significantly, the resulting scale and massing of the first floor and roof form spanning nearly the full width of the dwelling, would appear overly dominant and disproportionate to the host property. The treatment of the proposed development, with the bedroom above an external covered area, would create a ground floor void which would further emphasise the dominant massing above.
7. Although there is a lack of cohesion to the fenestration treatment, this is an existing feature of the rear of the building group. Moreover, the proposed single storey extension would not appear at odds with the mix of single storey extensions to the rear. However, these elements, or the use of matching materials, would not outweigh the harm that I have identified from the design of the two storey component.
8. Although plans have been provided, there is no firm evidence before me of the 'fallback' positions referred to by the appellant. Within the context of an appeal under section 78 of the Act it is not within my remit to formally determine whether or not the alternative plans submitted would be permitted development. Moreover, the 'fallback' plans show smaller extensions which would not result in similar or greater effects to those I have identified.
9. The variety of extensions to the rear within the existing group is not a sufficient enough reason to allow an extension that would be of a greater scale and massing in itself. The harmful visual effect from the proposal would not be seen from the public domain but it would be visible from the rear gardens of other dwellings within the group. As such, although the effects would be localised, it would, nonetheless diminish the character and appearance of the host building and terrace group in an unacceptable manner.
10. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would therefore conflict with the requirements of Policy P10 of the Leeds City Council Core Strategy (CS), Policies GP5 and BD6 of the Leeds Unitary Development Plan (UDP). The proposal would also conflict with the objectives of the Householder Design Guide Supplementary Planning Document (SPD). Moreover, the proposal would conflict with the provisions of the National Planning Policy Framework (the Framework). Collectively, amongst other things, these seek to ensure that alterations are of an appropriate scale and design to the existing building and the wider context.

Living conditions

11. The outlook from the yards to the rear of the terrace group is constrained by the retaining wall and rising gardens beyond the shared access. Rear projections to properties result in yards having contained private areas. This contrasts with the front gardens and, where appropriate, the raised rear gardens which provide a more pleasant open outlook.
12. Due to the tightly knit nature of the terrace housing and the height and massing of the proposal it would be clearly visible from the yard of No 6 Croft Terrace (No 6). However, the covered yard area at No 8 Croft (No 8) Terrace would limit views and the two-storey element of the proposal would not project beyond the building line of the single storey extension at No 6. As such, I do

not consider that the proposal would lead to a significant sense of enclosure. Moreover, the more open and pleasant outlook from the front gardens of No 6 and No 8 would remain unaffected.

13. The Council's officer report has not identified any significant harm to outlook from any windows on either No 6 and No 8 and I have no reason to disagree. As such, I find that the proposal would have an acceptable effect on the living conditions of the occupiers of No 6 and No 8 with particular reference to outlook.
14. I therefore find no conflict with the requirements of Policy P10 of the CS, Policy GP5 of the UDP, the Householder Design Guide SPD or the Framework which, amongst other things, seek to secure a good standard of living conditions for existing residents.

Other Matters

15. The proposed development would meet the appellant's need for increased accommodation. However, personal circumstances will seldom outweigh more general planning concerns. The appellant's desire to extend the property, the lack of harm in relation to other considerations and absence of objections, do not outweigh the harm I have identified to the character and appearance of the area.

Conclusion

16. For the reasons given above, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Mr R Walker

INSPECTOR