



Appeal Decision

Site Visit made on 12 October 2021

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2021

Appeal Ref: APP/N4720/D/21/3281917

Weststone, Mall Lane, Carlton, Guiseley, Leeds LS20 9PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Miss V McGregor against the decision of Leeds City Council.
 - The application Ref 21/03438/DPD, dated 19 April 2021, was refused by notice dated 7 June 2021.
 - The development proposed is Prior Approval for enlargement of a dwellinghouse by construction of an additional storey; the development will go 3.6m above the highest point of the existing roof.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 20 July 2021, the Government published a revised version of the National Planning Policy Framework (the Framework). I have had regard to the revised Framework, but only insofar as it relates to the development and prior approval matters.

Main Issue

3. The main issue is the effect of the proposal on the external appearance of the dwellinghouse.

Reasons

4. The conditions attached to Class AA state that the developer must apply for the prior approval as to the external appearance of the dwellinghouse, among other things. I have had regard to the appellant's suggestion that the wording of paragraph AA.2(3)(a)(ii)(aa) confines any considerations relating to the external appearance of the dwellinghouse solely to the design and architectural features of the front elevation only (in this case). I have also had careful regard to the appeal decisions¹ provided in support of the appellant's case.
5. However, the use of the word 'including' within the relevant paragraph indicates that the list that follows it should not be treated as a closed list, and that other factors of the same kind may be taken into account. Whether consideration is given to the effect in terms of the building's intrinsic design and/or to its relationship with its surroundings will therefore be a matter of planning judgment in each individual case.

¹ APP/J1535/D/21/3266264 & APP/H1840/W/21/3266807

6. The appeal site is a former agricultural building. It lies to the rear of a group of low-profile stable buildings on the west side of Mall Lane and within the open countryside. The building is typically constructed of low blockwork walls with vertical timber cladding above and a corrugated pitched gable roof. Despite a limited number of windows and doors, the building still retains a mostly agricultural character and as a result sits unobtrusively within the distinctly rural surroundings. I consider that the relationship between the appeal site and the rural surroundings is, in this case, a relevant aspect of the consideration of the effect of the development on the external appearance of the dwellinghouse.
7. The proposal would utilise some materials found in the existing building and replicate the roof pitch. Nonetheless, by adding an additional storey the resultant building would be bulky and disproportioned compared to the existing. In addition, although not specifically cited in the Council's assessment, the amount and size of the new fenestration in the front and rear gable elevations would appear overly dominant, top heavy, and unbalanced in composition. Consequently, the proposal would fundamentally alter the architectural features of the building, including the principal elevation, to the detriment of its appearance.
8. Moreover, the proposal would make the building more conspicuous within the landscape, particularly in views from Mall Lane. The front elevation of the building would clearly be perceived as a three-storey house with a strong urban aesthetic, to the extent that it would no longer be recognisable as a former agricultural building. In this way the external appearance would appear discordant with the rural surroundings and visually obtrusive. Whilst it is not uncommon for a farmhouse to rise above surrounding agricultural buildings, the external appearance of the dwellinghouse in this case would not resemble that of a farmhouse and would appear incongruous in this context.
9. I recognise that some element of change is implicit in the permitted development rights. However, this does not negate the requirement to address the conditions placed on development permitted under Class AA, including the need to assess the effect of the development on external appearance.
10. Overall, I find that the proposal would lead to significant harm to the external appearance of the dwellinghouse. Thus, the proposal would conflict with paragraphs 126 and 130 of the Framework as it would not be visually attractive as a result of good architecture, would not be sympathetic to local character, and would not create the high quality, beautiful buildings or places that the Framework identifies as being fundamental to what the planning and development process should achieve.

Conclusion

11. For the above reasons the proposal would have a harmful effect on the external appearance of the dwellinghouse, contrary to the Framework as a whole. Accordingly, the appeal is dismissed.

A Caines

INSPECTOR