



Appeal Decision

Site Visit made on 26 October 2021

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2021

Appeal Ref: APP/N4720/D/21/3282148

40 Knightsway, Garforth, Leeds, LS25 1BH

- 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 Darren Alcock against the decision of Leeds City Council.
 - The application Ref 21/01850/FU, dated 2 March 2021, was refused by notice dated 10 June 2021.
 - The development proposed is Alterations to rear elevation. Loft conversion with hip to gable conversion and rear dormer.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021. Paragraph 218 indicates that its policies are material considerations which should be taken into account in dealing with applications from the day of publication. The principal parties were therefore invited to comment on any implications of the revised Framework for this appeal but did not submit any comments. I have determined the appeal having regard to the provisions of the revised Framework.

Main Issues

3. The main issues in this case are:
 - The effect on the character and appearance of the host property and the surrounding area, having particular regard to the Knightsway street scene; and
 - The effect on the living conditions of the occupiers of No 9 Ringway (No 9), having regard to levels of sunlight and outlook.

Reasons

Character and appearance

4. The appeal dwelling is located within a residential area to the south of Garforth. It is a semi-detached hipped roof bungalow located close to the junction with Ringway and positioned at right angles to the rear of No 9. Development along Knightsway consists of detached and semi-detached single storey dwellings with gabled and hipped roofs which contribute to their modest and unassuming character and appearance. Their position set back from the road in a regular building line and the regularity in the spacings between them contribute to a

degree of uniformity in the street scene along Knightsway and when viewed from wider public vantage points at the junction of Knightsway and Ringway.

5. The proposed change from a hipped to a gable roof would increase the bulk and massing of the dwelling when viewed from Knightsway and would reduce the dominance of the shared gable with No 42, which is a distinctive feature of the hipped roof semi-detached pairs along the road. In addition, the change from a hip to a gable roof would disrupt the existing symmetry of the appeal property and No 42 as a hipped roof semi-detached pair. The discordant appearance would be readily visible from wider public vantage points due to the location of the appeal dwelling close to the junction with Ringway.
6. The position of the rear dormer window below the ridge and set up from the eaves would reflect the advice in the Householder Design Guide Supplementary Planning Document (2012) (SPD). However, the window could not be accommodated without the increase in the bulk and massing of the roof which would be contrary to the SPD's advice that roof alterations should replicate the shape of the main house. The gabled roof in combination with the wide box dormer on the rear elevation would appear as a disproportionate addition which would be visible between the dwellings on Abbotsway.
7. As I saw at my site visit, the extension underway at No 59 Knightsway will result in a hipped and gabled roof on Nos 57 and 59 which are a semi-detached pair. Whilst the appeal property and No 42 would have a similar appearance, Nos 57 and 59 are located further up Knightsway and less conspicuous from wider vantage points. As such, the context of that site is different from the case before me and nor can I be certain that the balance of considerations in that case was similar to the appeal before me. Each case must be determined on its merits and I have assessed the appeal scheme based on the specific circumstances of the appeal site and the proposed details.
8. On the first main issue, I conclude that the proposal would be harmful to the character and appearance of the host dwelling and the surrounding area, having particular regard to the Knightsway street scene. There would be conflict with the requirements of Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006) (UDP), Policy P10 of the Core Strategy Select Review (2019) (Core Strategy) and HDG1 of the Householder Design Guide Supplementary Planning Document (2012) (SPD) that new development should be of a high design quality and that alterations and extensions should respect the scale and form of the original building and the wider setting of a place. There would also be conflict with the provisions of the Framework that development should be sympathetic to local character and history, including the surrounding built environment.

Living conditions

9. The extension's side gable would be approximately 2.6 metres from the common boundary with No 9 which is delineated by open railings, the side wall of No 9's garage and a panel fence.
10. Due to the location of No 9's garage to the south of the dwelling and its rear garden, it will already cast some shadow over the garden area. Given the separation distance between the proposed extension and the common boundary with No 9 and the effect of the existing garage, the extension is

unlikely to result in a material increase in the area of No 9's rear garden in shadow.

11. When viewed from No 9's rear garden, the extension's side gable would project above the garage. Due to the appeal property's higher floor level compared with No 9 and the bulk of the extension in proximity to the common boundary, the side gable would appear as a prominent and overbearing feature, increasing the sense of enclosure and making the rear garden of No 9 much less pleasant to use. The outlook from the rear patio doors and window of No 9 would be similarly adversely affected.
12. For this reason, the proposal would be harmful to the living conditions that the occupiers of No 9 could reasonably expect. It would be contrary to Core Strategy Policy P10 which seeks to protect residential amenity and would fail to accord with the guidance set out in HDG2 of the SPD that development should protect the amenity of neighbours. There would be further conflict with the provisions of the Framework to require a high standard of amenity for existing users.

Conclusion

13. Drawing matters together, the proposal would harm the character and appearance of the property and the surrounding area and would be harmful to the living conditions of the occupiers of No 9 due to the harm to outlook. Having had regard to all other matters raised, the appeal should be dismissed.

Sarah Housden

INSPECTOR