



Appeal Decision

Site visit made on 15 December 2021

by Richard Newsome BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 January 2022

Appeal Ref: APP/N4720/D/21/3283962

76 South Parade, Pudsey LS28 8NX

- 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 Julia Laybourn against the decision of Leeds City Council.
 - The application Ref 21/04631/FU, dated 24 May 2021, was refused by notice dated 3 August 2021.
 - The development proposed is a single storey front extension to replace existing conservatory.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front extension to replace existing conservatory at 76 South Parade, Pudsey LS28 8NX in accordance with the terms of the application, Ref 21/04631/FU, dated 24 May 2021, and the plan submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing No. 21-036-01A 'Plans and Elevations'.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the area, including whether the proposal would preserve or enhance the character or appearance of the Pudsey Conservation Area.

Reasons

3. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Pudsey Conservation Area (the CA). In considering the significance of the CA I have had regard to the Pudsey Conservation Area Appraisal and Management Plan (2009) (the PCAAMP).
4. Pudsey has developed through piecemeal development and the amalgamation of a series of independent settlements. Consequently, it does not have a

standard plan form or a defined core and has a varied built environment which is distinctive from its surroundings which were often developed in a single period. It includes prominent municipal, educational, and ecclesiastical buildings alongside historic terraces and back-to-back housing, as well as planned open green spaces. Industrial buildings are located close to registered parks and listed buildings.

5. The appeal site is located on South Parade away from most of the key features of the CA set out in the Spatial Analysis map in the PCAAMP. It is located within the CA Character area 5 – Southern domestic development as defined in the PCAAMP. This Character area retains a comfortable suburban character with terraced and semi-detached dwellings being most common and being located to the back of pavement edge. South Parade is generally reflective of this character but also includes a number of detached dwellings and some dwellings are set back from the highway.
6. There are a number of architectural characteristics that contribute positively to the appearance of Character area 5 of the CA. These include the predominant use of sandstone and millstone grit with the odd ingress of brick and render finish coupled with traditional roofing material such as slate, pantile, and stone slate tiles. Ornate detailing along terrace rows and variation in windows also have a positive impact on the CA.
7. The appeal property is a 2-storey, render and brick faced detached dwelling. It is identified in the PCAAMP as being a neutral building which makes neither a positive nor negative contribution to the CA. It is set back from the highway in a generous front garden bounded by existing stone walls to South Parade and a pedestrian route adjacent to the side of the dwelling. There are several mature street trees adjacent to and near the front of the appeal site.
8. I acknowledge that the parties disagree as to whether the existing conservatory which would be replaced as part of the proposal has planning permission and the weight that should be attributed to it. Irrespective of the planning permission status of the existing conservatory the Council notes that it is a historic addition to the dwelling. From my site visit it is evident that it has been erected for more than 4 years and is therefore immune from enforcement action. Therefore, the presence of the existing conservatory is a material consideration to which I attribute significant weight in the determination of the application. The largely glazed structure with dark frames is an incongruous feature to the front of the dwelling due to its form and materials.
9. I acknowledge that the proposal would be taller in part than the current existing conservatory. However, it would only be marginally taller at, and near to the ridge of the proposed shallow dual pitched roof than the existing conservatory with other parts being lower than the uniform height of the current conservatory roof. Therefore, as it would be similar in terms of scale when considered in comparison to the existing arrangement it would not be detrimental to the host dwelling or the street scene.
10. The proposal would be in keeping with the style and proportions of the host dwelling, particularly more so than the existing conservatory. This includes the use of a dual pitched roof to reflect the projecting front gable in the main roofscape and acknowledging the proportions of the openings in the existing elevations in the fenestration of the proposal. In addition, the combination of

the use of render, brick and glazing in the elevations along with a roof tiles to match the materials of the existing dwelling would be sympathetic to the appearance of the host dwelling and the CA. The proposal would be an enhancement in appearance compared to the existing conservatory.

11. The single storey replacement extension would be sited on the same footprint as the existing conservatory which already extends beyond the original front building line of the dwelling and the adjacent dwellings. Therefore, the proposal would not protrude any further forward to the front of the dwelling than the existing conservatory. Notwithstanding this, it would still be set back from the front boundary and highway and be screened to a degree by a large front garden and the street trees. This, allied to the proposed height, style, and materials to be used in the extension, would not result in it being dominant in the street scene, particularly relative to the existing conservatory.
12. Although I recognise that the Council is concerned that the proposal would set a precedent I have given careful consideration to the specifics of the case. The presence of the existing conservatory has been a key determining factor as set out above. Any future applications elsewhere would have to be considered on their individual merits. Therefore, allowing the proposal would not create a precedent for other proposals that would cause harmful effects individually or cumulatively to the character and appearance of the street or the CA.
13. As a result, there would be no detrimental effect to the character and appearance of the existing dwelling or on the immediate street scene due to the proposal. I also find that the proposal would preserve the residential character of the immediate CA Character area, and the diverse character of the CA as a whole. It would enhance the appearance of the CA as a whole through the replacement of the incongruous existing conservatory with a more sympathetic extension to the host dwelling and the immediate Character area of the CA.
14. Consequently, it would not be contrary to Policies P10 and P11 of the Leeds Local Plan Core Strategy (as amended by the Core Strategy Selective Review) (2019), saved Policies N19 and GP5 of the Leeds Unitary Development Plan Review (2006), Policy HDG1 and the principles set out in the Householder Design Guide (2012), and the guidance contained in the PCAAMP. These policies and principles taken collectively require that development is of a high-quality design, location, and scale that respects the character and appearance of a dwelling and locality, and preserves, conserves or enhances the character and appearance of Conservation Areas.
15. It would also be consistent with the National Planning Policy Framework, which amongst other things, requires that developments are of a high-quality of design and sympathetic to local character, and that heritage assets are conserved in a manner appropriate to their significance.

Conditions

16. It is necessary to impose a condition requiring the standard 3-year time limitation for commencement of development.
17. It is necessary that the development shall be carried out in accordance with the approved plan, for the avoidance of doubt as to what has been approved. I have therefore imposed a condition to this effect.

18. I have imposed a condition specifying materials as this is necessary to safeguard the character and appearance of the area, and to preserve the character and enhance the appearance of the CA.

Conclusion

19. For the reasons given I conclude that the appeal should succeed.

Richard Newsome

INSPECTOR