



Appeal Decision

Site visit made on 1 February 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 February 2022

Appeal Ref: APP/N4720/D/21/3287782

6 Gateland Drive, Shadwell, Leeds LS17 8HU

- 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 Peter Fellerman against the decision of Leeds City Council.
 - The application Ref 21/03442/FU, dated 20 April 2021, was refused by notice dated 3 September 2021.
 - The development proposed is described as "single storey extension to side to form sunroom".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The area surrounding the appeal site is characterised predominantly by residential properties of traditional designs and architectural detailing including mostly pitched roofs. The built form is spacious with the majority of the properties in the area being set off the boundaries. It is this spacious open feel and traditional styles of built development which positively contributes to the character of the area.
4. The proposal, with its flat roof design and being set forward of the existing front building line of the appeal property, would appear as an incongruous feature that would not be subordinate to the main property. Existing planting would provide some screening however, the proposal would be visible from within the street scene and given its design and positioning, it would appear out of keeping and visually intrusive.
5. There are alterations to other properties in the area which are set forward of the existing building line however, these differ to the appeal proposal in terms of design. I also note that there are flat roof elements to other properties which appear to be historic structures and would not be comparable to the appeal scheme particularly with regards to positioning.
6. The proposal would be set up to the boundary of the appeal site which would be an encroachment into the open gap between the existing properties. This would result in a loss of the spacious character in the immediate area. My attention has been brought to the location of properties in the area, including

appendix 3 and 11 of the appellants statement of case which I have had regard to. I witnessed at my site visit some properties that were built right up to their boundaries however, the majority of the buildings are set back from their boundaries providing clear spacious gaps between the built form. The proposal would erode the open gap between the appeal property and its neighbour to the detriment of the character and appearance of the area.

7. I have had regard to the appellants statement of case and appendices, including reference to other properties and extensions in the area. I do not consider these other developments to be directly comparable to the appeal scheme, particularly with regards to design, scale and positioning. In any case, I have determined this appeal on its own merits. I also note that the appellant describes that there has been a haphazard style of extensions in the area. This matter however, does not alter my findings above with regards to the appeal scheme.
8. Accordingly, the proposal would have a harm effect on the character and appearance of the surrounding area. The proposal conflicts with Policy P10 of the Leeds Local Plan Core Strategy 2019, saved Policies GP5 and BD6 of the Leeds Unitary Development Plan 2006, Policies GEN1 and HLC3 of the Shadwell Neighbourhood Plan, Policy HDG1 of the Leeds Local Development Framework Householder Design Guide Supplementary Planning Document 2012 and the National Planning Policy Framework (the Framework) which seeks all extension, additions and alterations to respect the scale, form, proportions, character and appearance of the main dwelling and locality.

Other Matters

9. The proposal would not have an adverse effect on the living conditions of neighbouring occupiers and highway safety. It is also indicated that there were no objections from Shadwell Parish Council or neighbouring residents.
10. The appellant has referred to the Council's delegation report as well as an email (in appendix 12 and 13 of the appellants statement of case). There are discrepancies in the delegation report and indications in the email that seem to point to the proposal being acceptable and in accordance with development plan policies. The Council's decision notice is clear in terms of its position with regards to the proposal and its conflict with development plan policies. My assessment is based upon all the evidence submitted.

Conclusion

11. The proposal would not compromise the living conditions of neighbouring occupiers or highway safety. However, these matters would not outweigh the harm I have identified with regards to the effects on the character and appearance of the surrounding area.
12. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
13. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR