



Appeal Decision

Site visit made on 15 March 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 March 2022

Appeal Ref: APP/N4720/D/22/3291459

11 Bowcliffe Road, Bramham, Wetherby LS23 6QY

- 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 & Mrs Clare & Olly Nunn against the decision of Leeds City Council.
 - The application Ref 21/05271/FU, dated 14 June 2021, was refused by notice dated 10 November 2021.
 - The development proposed is two storey side/rear extension.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. For the sake of brevity and clarity I have taken the description of development from the Council's decision notice.

Main Issues

3. The main issues are the effect of the proposal on the living conditions of the occupiers of 17 Bowcliffe Road with regards to outlook, and whether the proposal would preserve or enhance the character or appearance of the Bramham Conservation Area.

Reasons

Living conditions

4. The proposed two storey extension would be a large structure set above the ground level of 17 Bowcliffe Road (No 17). The amenity area of No 17 is directly adjacent to the proposed extension with windows in the north elevation of No 17 within close proximity to the proposal.
5. The height, bulk and positioning of the proposal in relation to No 17 would create a dominating structure that appear overbearing when viewed from the windows and amenity area of No 17. The outlook for the occupiers of No 17 would be severely compromised by the large expanse of built development of the proposed extension.
6. The proposal would have a harmful effect on the living conditions of the occupiers of No 17 with regards to outlook. The proposal would be contrary to Policy P10 of the Leeds Local Plan Core Strategy 2019 (CS), Policy GP5 of the Leeds Unitary Development Plan (UDP), Policy HDG2 of the Leeds Householder

Design Guide 2012 (LHDG) and the National Planning Policy Framework (the Framework) which seeks development to protect the amenity of neighbours.

7. Windows in the side elevation of the proposed extension have been removed and therefore there would be no overlooking or loss of privacy. Given the orientation of the properties, the proposal would also not create any overshadowing concerns. These matters, however, do not outweigh the harm I have identified with regards to outlook.

Conservation Area

8. The appeal site consists of a two storey property located within the Bramham Conservation Area (BCA).
9. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 199 of the Framework states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
10. The Bramham Conservation Area Appraisal and Management Plan describes the appeal building as a positive building located within the historic core of the settlement. The surrounding area is characterised by buildings constructed of traditional materials and architectural detailing. It is this consistent local vernacular built style which contributes positively to the character of the BCA in the location of the appeal site.
11. The proposed two storey extension would create an unsymmetrical gable end to the appeal property. However, the proposal would be constructed mainly of traditional materials and architectural detailing with it being set back from the front building line and stepped down from the roof line of the existing property. Therefore, it would be a subservient addition that would not detract from the appearance of the property.
12. The dormer window element of the proposal, whilst proposed to be constructed from lead, would be small in scale and given its siting would not be visually prominent. Due to the dormer windows position and massing, and although may be viewed from some parts of the main street, would not be an incongruous feature that would be detrimental to the historic character of the area.
13. The proposed entrance would introduce floor to ceiling glazing. The clever placement of the stone column and orientation of the entrance would not make this element of the scheme a prominent feature and would not adversely affect the traditional character of the surrounding area.
14. Accordingly, I find that the proposal would preserve the character and appearance of the BCA. The proposal would accord with Policies P11 and P12 of the CS, Policies BD6, BC7 and N19 of the UDP, Policy HDG1 of the LHDG and Policy H3 of the Bramham Neighbourhood Development Plan which seeks development within conservation areas to respond sensitively to its character and appearance.

Other Matters

15. I have had regard to the appellants statement of case and other documents including the design and access statement, the pre-application advice submission¹ and discussions between the architect and Council officer which led to amendments to the proposed scheme. These matters however, do not alter my findings above and the harm with regards to outlook.

Conclusion

16. The proposal would preserve the character and appearance of the BCA. However, this matter would not outweigh the harm I have identified with regards to the effect on the living conditions of occupiers of No 17.
17. 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.
18. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR

¹ Reference: PreApp/20/00511