



Appeal Decision

Site visit made on 9 February 2022

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th April 2022

Appeal Ref: APP/N4720/D/21/3289932

1 Crag Hill View, Leeds LS16 7LR

- 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 N Holloway against the decision of Leeds City Council.
 - The application Ref 21/07663/FU, dated 13 September 2021, was refused by notice dated 8 November 2021.
 - The development proposed is described as "Hip to gable extension on main roof with rear dormer to rear. Hip to gable extension on existing side extension with pitched dormer windows front and rear".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The planning application was submitted in the name of Mr Neil Holloway only, while the appeal was initially submitted by Mrs Kathryn Holloway, the applicant's spouse. Together Mr and Mrs Holloway jointly own the appeal property, but while it is quite clear that Mrs Holloway has acted for and with her husband, the appeal proceeds in Mr Holloway's name only as only an applicant named on the planning application can ordinarily make an appeal. This matter has had no practical bearing on my determination of the appeal.
3. The description of development used in the banner heading above is taken from the appeal form rather than the planning application form, as it provides a slightly more detailed description of the scheme; it reflects the proposed development as it was considered by the Council.

Main Issues

4. The main issues are the effects of the proposed development on:
 - The character and appearance of the area; and
 - Living conditions for occupiers of the neighbouring property at No 3 Crag Hill View, with particular regard to a loss of privacy.

Reasons

Character and appearance

5. No 1 Crag Hill View is a two-storey property which, along with No 36 Green Lane to which it is attached, forms a pair of semi-detached houses at the entrance to Crag Hill View. The appeal property has a two-storey side

extension, set some way behind the front elevation, with a hipped roof which continues (at a lower level) the form of the original dwelling. No 36 Green Lane also has a side extension which, although it has been built flush with the main front elevation, nevertheless also has a hipped roof at a lower level than the main roof. While there are therefore some differences between the appeal property and its attached neighbour, there is a broad symmetry or balance of form within the pair as a whole.

6. There is some variety of type, design and detailing among the detached and semi-detached houses and bungalows which make up the well-kept, verdant and spacious wider suburban neighbourhood. All the same, there is a broad consistency of scale in the buildings in the surrounding area. I saw on my site visit that, although many properties in the area have been altered and extended over the years, the general coherence within semi-detached pairs as exhibited by the appeal property and its neighbour is a strong (if not universal) characteristic which also contributes to the area's smart and orderly nature.
7. There are several elements to the proposed development. These include carrying out a hip-to-gable conversion of the main roof, increasing the height of the side extension and converting its hipped roof to a gable with two pitched gable dormers (one each to the front and rear slopes), and adding a box dormer (with Juliet balcony) to the rear of the main roof pitch.
8. The Council's 2012 *Householder Design Guide* Supplementary Planning Document ("the SPD") provides advice on domestic extensions and alterations; Policy HDG1¹ considers matters of design and appearance, and advises that in order to avoid causing harm to either the host property or the wider area, extensions and alterations should respect the scale, form, and proportions of the main dwelling. It also states that, among other things, particular attention should be paid to roof form and roof line.
9. The proposed hip-to-gable conversion of the main roof would add considerable bulk to the appeal property, and would unbalance the semi-detached pair. The eaves height of the side extension would be raised above those of the existing main dwelling, and its ridge height would be set only very slightly below the main roof ridge; while the side extension would remain set behind the main front elevation, its increased height and bulk would reduce the extent to which the side extension was subordinate to the original building. The semi-detached pair as a whole would be further unbalanced by the proposed use of a gable roof on the side extension.
10. The proposed rear box dormer would span most of the enlarged rear roof pitch, and would fill almost all of the slope between the eaves and the main ridge. It would be a substantial and bulky addition, which would dominate the rear roof. The proposed pitched front dormer on the side extension would occupy a relatively large part of that roof slope. It would therefore be a bulky and cumbersome feature, which would both emphasise the side extension's lack of subservience in scale to the main dwelling, and further accentuate the imbalance across the semi-detached pair.
11. The appellant has drawn my attention to alterations which have been permitted by the Council at two very nearby dwellings. At No 5 Crag Hill View, two doors

¹ Notwithstanding the terminology, the SPD provides guidance and interpretation in respect of the development plan, and while a material consideration it does not in itself set out development plan policies.

from the appeal property, planning permission was granted for the conversion of a detached bungalow to a two-storey house². At No 35 Green Lane, across the road from the appeal site, permission was granted for a side extension with no step-down from the existing main roof ridge to that of the extension³.

12. I do not of course know the full circumstances of either of those other proposals. The extract provided from the Council's officer report in respect of No 5 noted that while the scheme would represent a significant addition to the property, "it is appropriately designed and proportioned to sit comfortably within the site's curtilage and the existing street scene". From what I was able to see of the completed works to No 5 from the street I do not disagree with that assessment. However, the proposal for the appeal site would have a different, and in my view harmful, impact on its host building, the semi-detached pair, and the wider street scene.
13. In respect of No 35, the Council considered the lack of set-back or step-down from the existing dwelling to the side extension to be acceptable because it would "balance out the design of the 2 semi-detached properties". I was able to see the front of No 35 clearly on my site visit, and I accept that analysis. However, the proposal before me would have the opposite effect, as I have described above, of unbalancing the semi-detached pair. I have reached my conclusion based on the specific merits of the appeal scheme, and because of the differences neither of these other examples weighs in its favour.
14. The appellant also drew my attention to other properties in the area either where semi-detached pairs of houses have a hipped roof at one end and a gable at the other, where there is what is described as "pitched fenestration", or where there are prominent front dormers. The examples of mixed roof types within a single semi-detached pair to my mind demonstrate how they can unbalance a building and so serve as a warning against, rather than an advertisement for, such alterations. The "pitched fenestration" refers to the prominent two-storey gabled bays which, whether located centrally on a main elevation or to one side, appear to me to be a very common original feature of the area, rather different to the large roof gable proposed here.
15. Finally, I have no information about when the front dormers in the area were installed, but none appears to comply with the current guidance in the SPD. Although two of the examples brought to my attention could be said to be relatively modest in scale, the third has such a poor relationship with the original building in terms of its bulk, siting and materials that merely describing it as being harmful to the appearance of its host property does not do it justice. Again, none of these examples therefore carries weight in favour of the appeal proposal.
16. The appellant argues that some elements of the scheme, notably the hip-to-gable conversion of the main roof and the installation of a rear dormer, could be implemented using permitted development rights. While that may be so, because of the restrictions on such rights any scheme would necessarily be less substantial than the proposal now before me. It would also therefore have a less harmful impact on the character and appearance of the area.

² LPA Ref: 18/06146/FU

³ LPA Ref: 18/05825/FU

17. For the reasons I have set out above, I conclude that the proposed development would cause significant harm to the character and appearance of the area. It would therefore conflict with Saved Policies GP5 and BD6 of the 2006 Leeds Unitary Development Plan ("the UDP"), and Policy P10 of the 2014 Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019). Among other things, these policies together seek to ensure that the design, size and scale of development, including alterations and extensions, respect the original building and are appropriate to the wider context.

Living conditions

18. Policy HDG2 of the SPD seeks to ensure that development protects the amenity of neighbours, including through avoiding overlooking which has an unreasonable impact on neighbours' privacy.
19. As a result of being on a triangular corner plot, the appeal property has a relatively small and shallow rear garden. The additional rear windows, including the Juliet balcony, would as an inevitable consequence of being in a dormer roof extension, be above and close to and at a high level above the neighbouring properties' rear gardens, in particular that of No 3 Crag Hill View. There would therefore be increased opportunities for overlooking, and a loss of privacy (or a perceived loss of privacy) in the surrounding gardens.
20. I accept that in an urban or suburban area a degree of overlooking is to be expected, and indeed to some extent will be accepted by most people. I also accept that the appellant's observation that there are already six or seven neighbouring rear bedroom windows allowing some overlooking of the rear garden of No 3. I also note that the current occupier of No 3 did not object to the proposed development; however, I have a duty to consider the potential impact on future neighbouring occupiers as well. While the proposed use of the converted roof space as a bedroom may mean that it is seldom occupied during the day, this is not a matter which could be controlled in any way. In my view the rear box dormer with its large windows and Juliet balcony would be likely to lead to a significant loss of privacy, or perceived loss of privacy, in the rear garden of No 3.
21. I conclude that this would be detrimental to living conditions for the occupiers, or future occupiers, of that property. As a result, the proposal conflicts with Saved Policy GP5 of the UDP, which among other things seeks to ensure that development does not result in a loss of amenity, and with the guidance in the SPD.

Conclusion

22. The proposal would conflict with the development plan taken as a whole. There are no material considerations, including those of the Framework, which indicate that the decision should be made other than in accordance with the development plan.
23. For the reasons given above, the appeal is therefore dismissed.

M Cryan

Inspector