



Appeal Decision

Site visit made on 24 May 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th June 2022

Appeal Ref: APP/N4720/D/22/3295242

136 Tyersal Road, Tyersal, Bradford BD4 8HG

- 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 Zeeshan Ali Khan against the decision of Leeds City Council.
 - The application Ref 22/00323/FU, dated 14 January 2022, was refused by notice dated 4 March 2022.
 - The development proposed is described as “proposed 2-storey side & rear extension”.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, construction works had commenced. I have dealt with the appeal accordingly.
3. I have had regard to the planning history of the appeal site including a condition relating to the removal of permitted development rights under approved application 20/00362/FU. The removal of permitted development rights from the appeal property would only be engaged once the development under permission 20/00362/FU had commenced. From the evidence before me, it does not appear that the development under permission 20/00362/FU had commenced prior to the permitted development works to the roof being undertaken. Therefore, there was not a breach of a planning condition on permission 20/00362/FU.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the appeal building and surrounding area.

Reasons

5. The area surrounding the appeal site is characterised predominantly by residential properties of mainly semi-detached symmetrical form. Whilst there are various styles of housing along Tyersal Road, the roof form of the buildings in the area are simple and uniformed being either hipped or gable styles, some with dormer style structures. It is this built development with simple and uniformed roof forms that contribute to the character of the area.
6. The proposed roof form of the extensions, given their massing and design would appear as obtrusive features. The double roof pitch of the rear extension and its complicated arrangement with the proposed side extension and the dormer structure would not be sympathetic to the simple uniformed roof styles

of the surrounding area. The proposal with its convoluted roof design would be an incongruous development that would detract from the character and appearance of the appeal building and surrounding area.

7. The symmetry of the appeal building and its adjoining neighbour has been lost by the roof alterations to the main house and it is noted that a gable end side extension would match the gable end of the appeal property in roof style. I also note comments from the appellant that the roof design is the sole difference between the proposal and the approved scheme 20/00362/FU, as well as the side extension being set back from the principal front elevation. These matters, however, do not alter my findings above or outweigh the harm resulting from a complicated roof design that would dominate the appeal building and be visually intrusive within the surrounding area.
8. Accordingly, the proposal would have a harmful effect on the character and appearance of the appeal building and surrounding area. The proposal fails to comply with Policy P10 of the Leeds Core Strategy, Saved Policies GP5 and BD6 of the Leeds Unitary Development Plan, Policy HDG1 of the Leeds Householder Design Guide and the National Planning Policy Framework (the Framework) which seeks all extensions, additions and alterations to respect the scale, form, proportions, character and appearance of the main dwelling and the locality.

Conclusion

9. 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.
10. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR