



Appeal Decision

Site visit made on 21 June 2022

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th July 2022

Appeal Ref: APP/N4720/D/22/3296805

1 Scotts Buildings, Cottage Road, Headingley, Leeds LS6 4DF

- 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 T Watts against the decision of Leeds City Council.
 - The application Ref 21/09935/FU, dated 8 December 2021, was refused by notice dated 3 February 2022.
 - The development proposed is construction of first floor side extension including replacement of existing roof.
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Decision

1. The appeal is allowed and planning permission is granted for construction of first floor side extension including replacement of existing roof at 1 Scotts Buildings, Cottage Road, Headingley, Leeds LS6 4DF in accordance with the terms of the application, Ref 21/09935/FU, dated 8 December 2021, and the plans 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 plans: 201 and 203 E.
 - 3) No development comprising of the erection, installation or provision of any external walling, roof slate, rainwater good, window or meter cupboard shall take place until details or samples of their material, appearance and colour finish have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details/samples and shall be retained as such.

Main Issues

2. The main issues are:
 - The effect of the proposed development upon the character and appearance of the host property and the Far Headingley Conservation Area; and
 - The effect of the proposed development on the living conditions of the occupants of properties on Temple Vue.

Reasons

Character and appearance

3. Scotts Buildings comprise of a row of terraced properties with No 1 being situated at one end. A two-storey element of No 1 is lower than the remainder of the terrace and is connected to it by a single storey section. The site is located within the Far Headingley Conservation Area (CA). Defining characteristics of the CA as a whole include the contrast between the tight-knit settlement form of the village core with the later developed and more regular pattern of villas and terraces, the landmark building of St Chad's Church and the presence of tree-lined roads and large garden plots. The property, and those which adjoin at Scotts Buildings and Temple Vue are examples of the houses arranged in the tightly-knit manner and for this reason contribute to the significance of this part of the CA.
4. Though the proposed first floor extension would raise the existing single storey so that the ridge and eaves of the roof would match that of the two-storey element, the step up in height to the rest of the terrace would remain, emphasised further by the adjoining house having a chimney. The ridges of the existing two storey roof and that which would be formed by the extension would run in opposite directions. These factors would ensure that the host property would remain a subservient part of the wider terrace whilst the roofscape would benefit from variation and the mass being broken up.
5. Rainwater goods and an external meter cupboard are referenced on the plans and on my visit I noted that the existing property frontage already features, amongst other paraphernalia, pipework, vents and security lighting whilst prominent rainwater goods are a characteristic of several of the terrace and cottage properties in the immediate area. Subject to appropriate final finish choices, which can be controlled via condition, such features, together with matching stone and roofing material, would be acceptable.
6. I note that trees are located close-by to the development. The Council have stated that trees would not be harmed as a result of the development and I have no substantive evidence before me to indicate otherwise.
7. I find the extension proposed is acceptably designed, would remain respectful to the host property, neighbouring buildings, local distinctiveness and in turn preserve the character and appearance of the CA. It follows that the development accords with policies P10 and P11 of the Leeds City Core Strategy 2014, as amended (CS) and policies GP5 and BD6 of the Leeds Unitary Development Plan (UDP).

Living conditions

8. The existing garden to the front of 6 Temple Vue has a strong sense of enclosure. This stems principally from the existing Scotts Buildings properties which form one boundary and the hedge and tree planting along the boundary of the garden farthest from the house frontage.
9. Given the orientation of the garden, the nature of the boundaries and presence of existing landscape features the garden of No 6 would already be shaded to some degree in the morning. In the afternoon the garden will benefit more from direct sunlight and the proposal would not affect this.

10. The extent to which the walls of the existing single storey element of the host property on the boundary with No 6 would be raised would be limited. The ridge of the extension would represent a more substantial heightening but as the roof rises the pitch would be sloping away from the garden of No 6.
11. I therefore find that the proposal would not result in harmful dominating effects on the occupiers of No 6, in the context of the present situation. Effects would be lesser still on the occupiers of Nos 4 and 5 given the increased distance from the development.
12. A roof window is proposed above a staircase rather than a room which occupants would spend time. Therefore, there would be no significant overlooking or effects upon the privacy of occupiers of Temple Vue. Some increase in noise may result at times should the window be open but in the context of the tight-knit nature of the area some noise from open windows of homes would not be out of character or unduly harmful. The submitted plans show a first floor window in the rear of Scotts Buildings which is not present but this does not affect my conclusions on living conditions.
13. No unacceptable harm to the living conditions of the occupants of properties on Temple Vue would result from the development with no conflict with policy P10 of the CS and policy GP5 of the UDP.

Other Matters

14. Bats and other wildlife may be in the area, but I have no substantive evidence before me to suggest that they would be affected or disturbed by the development. I have no reason to conclude that the development could not be adequately drained. There is no particular evidence of development plan policy support for applying any particular space standards.
15. Whether the Council's consultation exercises on the planning application were extensive enough has little to do with the planning merits of the case and I have no reason to believe that the statutory requirement has not been fulfilled nor evidence of injustice during the appeal process.
16. Rights of access onto land or issues of damp penetration are principally private matters to be resolved between the affected parties as would any damage caused to property and the need for phone line diversion. Construction may cause some disruption, but it would be short-term in nature and not significant enough to withhold permission. Regulations, separate from the planning process, relate to boiler flue installation. These matters are, therefore, of little weight in my Decision.

Conditions

17. A plans condition is needed in the interests of clarity. A condition is needed to secure appropriate use of materials in the interests of the character and appearance of the area. I have amended the wording from that suggested by the Council having regard to the commentary of the appellant to agree materials and in the interests of clarity.

Conclusion

18. For the reasons set out above, I conclude that the appeal should be allowed.

H Jones

INSPECTOR