



Appeal Decisions

Site visit made on 2 August 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th August 2022

Appeal A Ref: APP/N4720/D/22/3298770

Tyrol, Elmwood Lane, Barwick in Elmet, Leeds LS15 4JX

- 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 Paul Manning against the decision of Leeds City Council.
 - The application Ref 21/09946/FU, dated 9 December 2021, was refused by notice dated 6 April 2022.
 - The development proposed was originally described as the proposal involves the extension of the existing property along its Eastern elevation, providing a new roof structure over the whole of the existing structure and extension. A widened vehicular access point onto Elmwood Lane will provide additional off-street parking.
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Appeal B Ref: APP/N4720/D/22/3298772

Tyrol, Elmwood Lane, Barwick in Elmet, Leeds LS15 4JX

- 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 Paul Manning against the decision of Leeds City Council.
 - The application Ref 21/09948/FU, dated 9 December 2021, was refused by notice dated 6 April 2022.
 - The development proposed was originally described as the proposal involves the extension of the existing property along its Eastern elevation, providing a new roof structure over the whole of the existing structure and extension. A widened vehicular access point onto Elmwood Lane will provide additional off-street parking.
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Decision

1. Appeal A is dismissed, and Appeal B is dismissed.

Preliminary Matter

2. As set out above, there are two appeals on this site. They differ only in the detail of the design of the proposed extensions. The design of the extension for Appeal B has a steeper roof pitch and smaller gap between the eaves and first floor windows than the design in Appeal A. In both instances as part of the extension, the roof would be altered from its hipped form to a gabled roof and the overall roof ridge would increase by 1.2m. I have considered each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise indicated.

Main Issue

3. The main issue in both appeals is whether the proposals would preserve or enhance the character or appearance of the Barwick in Elmet Conservation Area (CA).

Reasons

4. The appeal property is a two-storey detached dwelling located on Elmwood Lane (the Lane) which is characterised by a variety of residential property styles. This part of the Lane forms a boundary to the CA with the appeal property falling within its boundaries.
5. There is an attractive row of terraced properties built in an arts and crafts style to the south of the site that front onto Leeds Road. Otherwise, properties along this part of the Lane appear to be mostly 20th Century housing. Despite the more recent housing, the two-storey scale of properties and generally simple designs are in keeping with the broader architectural vernacular in the CA and do not detract from its significance.
6. The appeal property has a two-storey flat roof extension. This is at odds with the predominant mix of hipped and gabled roofs in this part of the Lane and the hipped roof form of the appeal property. Otherwise, it has a pleasing simplicity to its design, with the doors and fenestration creating a balanced frontage and the hipped roof spanning the ground floor bay windows reflecting the hipped roof of the host property. Moreover, two chimney stacks, and stonework on the ground floor, add interest and are features found locally.
7. In both appeals, the proposals would result in a significant alteration to the roof by creating a single gabled pitched roof, replacing the hipped roof and flat roof element. The small differences between the eaves and steepness of the roof slope would not materially alter the fundamental increases in bulk and massing that would ensue in both appeals.
8. The overall ridge height would be lower than the adjacent detached property on the Lane. However, the appeal property's ridge would be positioned nearer to the Lane than the ridge of the adjacent property. As such, I find that both proposals would appear unduly bulky. This would be exacerbated by the continuous treatment of the roof slope across the property, rather than being stepped down at the point where the existing garage and bedroom step in from the front façade.
9. The loss of the hipped roof would sever the visual connection with the hipped roof above the bay windows. Furthermore, the design for Appeal B would subsume most of the retained chimney stack as it rises through the roof slope, weakening its presence in the street scene.
10. The loss of the stone to the front would erode the visual connection with the front wall and elsewhere in the CA. There are examples of fully rendered properties in the immediate locality and in this regard a fully rendered property would not appear incongruous. However, most properties in the CA appeared to be built from stone. Moreover, the existing stone detailing on the host property adds interest. Its loss would not, therefore, be an enhancement.
11. The appellant has indicated that they would be willing to retain the use of a stone plinth at the ground floor and this could be secured by a condition. Whilst this would be a positive improvement to the designs, it would not overcome my concerns in relation to the alterations to the roof.
12. There is no overriding consistency in the Lane with regards to the gap between the first-floor windows and eaves. Moreover, the increased gap shown in the design in Appeal A is very small, and in the context of this part of the street

- scene, it would not be harmful. However, this does not overcome or outweigh my concerns regarding the design for both appeals, as set out above.
13. Other elements of the two schemes, such as the rear extension do not cause harm. However, for the reasons set out above, the design of both Appeal A and Appeal B would not constitute high quality design and would cause harm to this part of the street scene. They would therefore not preserve or enhance the character or appearance of the CA.
 14. Heritage assets are irreplaceable and great weight should be given to their conservation. The harm would be localised along this part of the street. As such, the effects would be less than substantial in the context of paragraph 202 of the National Planning Policy Framework (the Framework). In accordance with paragraph 202 I must balance that less than substantial harm against the public benefits of the proposal.
 15. My attention has been drawn to a separate planning permission granted at the site (21/09947/FU) for an extension and alterations to the appeal property. This includes raising the ridge by 1.2m. As planning permission has been issued for the fallback position, I consider it a strong possibility that it would be implemented were this appeal to fail.
 16. Although the increase in ridge height compares with both appeals before me, the fallback scheme has a hipped roof with considerably less bulk. This reflects the character of the original dwelling. Moreover, the fallback scheme, maintains the prominence of the chimney stack on the south elevation, due to its detachment from the roof slope. As such, the effects on the street scene and CA from this fallback position would not be as harmful as both proposals before me.
 17. The increased accommodation proposed in both appeals would have largely personal benefits for the appellant and therefore carry limited weight. The appeal proposal would remove the contrived flat roof of the side extension. However, this would also be the case with the fallback scheme. Moreover, the removal of this detracting feature would be for a roof structure which would be more dominant and cause harm to the CA. Accordingly, there are no public benefits that outweigh the less than substantial harm to the CA, resulting from both appeals.
 18. Both proposals would thus conflict with the requirements of Policies P10 and P11 of the Council's Core Strategy (2014), saved Policies GP5, BD6, N19 and BC7 of the Council's Unitary Development Plan (2006), Policies LE1 and BE1 of the Barwick in Elmet and Scholes Neighbourhood Plan, the objectives of the Leeds Householder Design Guide Supplementary Planning Document (2012) and the Framework. These are concerned with, amongst other things, the character and appearance of developments and, where relevant, developments within CA's.
 19. For the reasons given above, both Appeal A and Appeal B would conflict with the development plan and there are no material considerations, including the fallback scheme, that would outweigh that conflict.
 20. I conclude that both Appeal A and Appeal B should not succeed.

Mr R Walker

INSPECTOR