



Appeal Decision

Site visit made on 22 August 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Chris Forrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd October 2022

Appeal Ref: APP/N4720/D/22/3301389

7 Newlay Lane, Bramley, Leeds, LS13 2AL

- 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 OWLarchitecture.com against the decision of Leeds City Council.
 - The application Ref 22/00870/FU, dated 5 February 2022, was refused by notice dated 4 April 2022.
 - The development proposed is the removal of dormer windows to front/rear; removal of existing single storey side extensions; single storey side extension with canopy and glass infill link between both buildings
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The proposal was originally described as the 'demolition of all flat roof additions to existing bungalow. Extension by duplication of original dwelling footprint and glass link'. However, the Councils decision notice utilised the description in the banner header above. Given that the appellant has also utilised this revised description on the appeal form, for consistency, I have also utilised this in my decision.
4. I was unable to gain access to the appeal site, however I was able to see the site from two of the neighbours' gardens. From my observations, and the information provided with the appeal, I was able to gain a good understanding of the site to the extent that an informed decision on the planning merits of the proposal could be made.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area with particular regard to the host property and the Bramley Town Conservation Area.

Reasons for the Recommendation

6. The appeal site is located within the Bramley Town Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act

- 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of the Conservation Area is derived from large properties set in extensive grounds creating a distinctive low-density pattern of development.
7. The appeal property is a bungalow with dormer windows and side extensions. It is not identified as a positive building in the CA, although it is built within the former grounds of Beechwood in an area previously occupied by glasshouses. The appeal proposal would result in the removal of previous ground floor extensions and the dormer windows¹ together with the erection of a large extension with a glazed conservatory link.
 8. The appellant has set out that the proposal would only result in an increase of 1 square metre to the gross internal floorspace of the property if the conservatory link is discounted. Whilst this may well be the case, the proposal would result in a much greater increase in the footprint of the built form at the site as a result of the new extension and conservatory link.
 9. Furthermore, the proposal would result in a much greater increase in volume and bulk when compared to the existing dwelling to the extent that it would not reflect the scale or proportions of the host dwelling, nor would it appear as a subservient addition. To my mind, the resultant development would therefore harm the character of the existing property and the open and spacious character of this part of the CA.
 10. In coming to this view, I acknowledge that the development affects only part of the CA and therefore in terms of the National Planning Policy Framework (the Framework) the harm caused to its significance would be less than substantial. The approach in paragraph 202 of the Framework is that where a proposal leads to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.
 11. The appellant has set out that that the proposal would remove the "hotch-potch" of extensions from the bungalow and would improve the energy efficiency of the dwelling. It is also stated that the EPC score is so bad that it would be unlawful to rent the property out, and that access to the first floor does not seem to be compliant with building regulations.
 12. Be that as it may, there is little evidence before me on how the energy efficiency of the property would be improved and as such I can only attach limited weight in support of the proposal to that factor. I also acknowledge that the removal of the existing extensions would have some improvements to the appearance of the host dwelling and the CA. That said, this benefit is more than outweighed by the harm I have identified above.
 13. In addition to the above, the use of a glazed conservatory link between the two main buildings would have some reference back to the historic glass houses which were once on the appeal site. This also attracts some limited positive weight.
 14. Taking all of these factors into account, the benefits outlined above do not outweigh the harm I have identified to the CA and accordingly the proposal conflicts with the historic environment aims of the Framework.

¹ Which I understand has already been granted planning permission under reference 22/02533/FU

15. For the above reasons, the development would harm the character and appearance of the host dwelling and the CA and would be in conflict with Policies P10 and P11 of the Leeds Core Strategy (2014) and saved Policies BD6, GP5 and N19 of the Leeds Unitary Development Plan Review (2006) which, amongst other matters, seek to ensure that development respects the scale, form and detailing of the original building, preserves or enhances the character or appearance of Conservation Areas and respects the character of the area. It would also be at odds with the overarching aims of the Framework and the Householder Design Guide Supplementary Planning Document.

Conclusion and Recommendation

16. The proposed development conflicts with the development plan as a whole and there are no other considerations, that outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR