



Appeal Decision

Site visit made on 7 March 2023

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 March 2023

Appeal Ref: APP/N4720/D/22/3312448

6 Crow Trees Park, Rawdon, Leeds LS19 6HH

- 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 Christopher Denison against the decision of Leeds City Council.
 - The application Ref 22/04283/FU, dated 17 June 2022, was refused by notice dated 22 September 2022.
 - The development proposed is to change the existing basement into habitable space and extend.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the terrace in which it would be located.

Reasons

3. The appeal property is part of a terrace of three dwellings which sits side on to the public highway along Crow Trees Park. The properties have split levels including basement levels, reflecting the gradient of the road on Crow Trees Park. There is disagreement between the parties as to what constitutes the front and the rear elevation of the appeal dwelling as a result of this somewhat unusual positioning. However, there is no necessity to establish which elevation is which for the purposes of determining this appeal, because there is no preclusion on development taking place to the front of a dwelling *per se* providing that its impact would be acceptable.
4. The terrace is of an attractive design, incorporating a mix of brickwork and render alongside design features such as projecting bay windows, porches and gable features. On the elevation on which the appeal proposal would be located there is a clear design coherence in terms of the positioning of the gables and the alignment and positioning of the windows of each of the dwellings relative to one another. There have been no subsequent additions or alterations that have materially changed the appearance of this elevation of the terrace. As a result of these factors the terrace contributes positively to the character and appearance of the area.
5. The design of the proposed development is functional to provide additional floorspace, but in design terms it offers no more. It does not reflect the character of the existing dwelling or terrace, including in terms of the

positioning of its window and door. Due to its design, it would have an incongruous relationship to the host dwelling and the terrace in which it would sit. Furthermore, by way of both its design and size it would appear as a bulky addition that would visually dominate this elevation of the host property and, to a lesser extent, the terrace. Notwithstanding that the appeal property sits in the middle of the three dwellings, there would also be some harm to the symmetry of the terrace, again arising from the design and size of the proposed development.

6. From the A65 Leeds Road its visual impact would be limited by the relative ground levels, by intervening vegetation, by the fact that it would be set well back from the road and because the appeal dwelling is only glimpsed in between those dwellings that front onto this main road. The presence of existing mature hedging adjacent to the common boundary with 4 Crow Trees Park would also limit its visual impact in views taken from the public domain on Crow Trees Park, as things stand at the present time.
7. However, it is not evident whether the hedge in question could be retained in any meaningful form, as it is likely to need to be reduced in width to accommodate the appeal development. It may well also be on the side of the neighbouring property and therefore outside of the control of the appellant. If the hedge was no longer in place for any reason, the appeal proposal would be clearly visible in the street scene and more viewable in the context of the wider terrace. This would compound the visual harm that would be caused.
8. For these reasons, I conclude that the proposal would cause significant harm to the character and appearance of the host dwelling and the terrace in which it would be located. Consequently, the proposed development fails to accord with Policy P10 of the Core Strategy 2019 and Saved Policies GP5 and BD6 of the Unitary Development Plan 2006, where they seek to protect character and appearance. There is also a conflict with Policy HDG1 of the Householder Design Guide Supplementary Planning Document 2011 in the same regard.

Other Matter

9. The appellant refers to support from adjoining occupiers for the proposal. However, this consideration does not justify the permitting of a harmful development.

Conclusion

10. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR