



Appeal Decision

Site visit made on 25 April 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 May 2023

Appeal Ref: APP/N4720/D/23/3314802

34 Lombard Street, Halton, Leeds LS15 0LT

- 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 Ms Charlotte McQuinn against the decision of Leeds City Council.
 - The application Ref 22/07249/FU, dated 27 October 2022, was refused by notice dated 23 December 2022.
 - The development proposed is demolition of existing rear extension, existing hipped roof to side elevation amended to gable end, proposed single storey rear extension with proposed upper storey dormer extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of 36 Lombard Street, with regard to outlook.

Reasons

Character and Appearance

3. The appeal property forms part of a row of semi-detached bungalows. It is located within a residential street that is generally characterised by semi-detached bungalows and houses set back from the road behind front gardens and paved driveways. The properties generally have hipped roofs and several have extensions and alterations which mainly respect the original building form. The similar styles of properties and the regular separation and set back from the road results in a relatively spacious, consistent, and harmonious character and appearance.
4. The proposal does not face a public highway, and while the dormer would be set down from the ridge line, and up from the front elevation with some separation from the side, its large scale and positioning across the existing roof and the proposed rear extension would dominate the scale and form of the original dwelling. The incongruous gable roof design would unbalance the pair of semis, and in doing so, draw the eye. It would not sit comfortably with the predominance of hipped roofs adjacent to it and would look harmfully out of place within the row of hipped roof bungalows on this side of Lombard Street. Consequently, due to its siting and design the proposal would be a discordant

feature that would detract from the otherwise harmonious character and appearance of the area.

5. While HDG1 of the Householder Design Guide Supplementary Planning Document (2012) (SPD) does not explicitly state that changes in roof design from hip to gable are not acceptable, it is clearly set out that particular attention should be paid to the roof form to ensure that extensions respect the main dwelling and the locality. Moreover, the SPD advises that to ensure an extension is sympathetic to the original dwelling its roof should replicate the proportions, pitch and shape of the main house.
6. Materials would match the existing white render and tiles of the original dwelling. However, owing to the bulky roof design and unconventional dormer extension projecting from the roof over the full depth of the ground floor extension, the use of hanging tiles would result in an unduly prominent development and it would stand out as being visually incongruous. The appellant asserts that appropriate window details, architectural features and boundary treatments can be achieved at the site in line with the guidance set out in HDG1 of the SPD, however the lack of harm on these matters would only be a neutral factor.
7. I have considered the examples of bungalows in the wider area which have rear extensions and a gable roof design, including opposite the appeal site which the Council indicate is subject to an enforcement enquiry. The context of the examples differs in overall appearance and relationship with the street scene. They are on a different side of Lombard Street or on a different street, and as such would not be seen with the appeal scheme and are not directly comparable. The other examples do not, therefore, lead me away from my above findings.
8. Overall, the proposal would harm the character and appearance of the area, in conflict with Policy P10 of the Core Strategy (Review 2019) (CS) and policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) (UDP). Amongst other things, these policies require development to provide good design that is appropriate to its location, scale and function, and extensions to respect the scale, form, detailing and materials of the original building.
9. It would also be contrary to the guidance set out within HDG1 of the SPD, and contrary to the provisions of the National Planning Policy Framework (the Framework) in Section 12 regarding the need to achieve well designed places.

Living Conditions

10. It is not disputed that the proposal would be policy compliant with regard to daylight/sunlight levels and privacy. However, it would bring development close to the shared boundary with 36 Lombard Street and given the existing single storey extension at No 36, would result in a relatively narrow gap between the properties' rear extensions. Given the height and depth of the proposal and proximity to the shared boundary, this would create an enclosing effect, to the detriment of the outlook experienced by the occupiers of No 36.
11. Irrespective of whether the '45 degree' and '12 metre' codes set out in HDG2 of the SPD are applicable to the appeal scheme, the proposed extension and dormer would have the appearance of a two-storey extension, resulting in a noticeable difference in the built form which would appear as a dominant and

oppressive feature. Even if the rear facing room at No 36 is not a habitable room, the proposal would be detrimental to the outlook that could reasonably be expected in a private garden. While there have been no objections from neighbouring occupiers to the scheme, this is not a reason, in itself, to allow harmful development.

12. Accordingly, the proposal would be harmful to the living conditions of the occupiers of 36 Lombard Street, with regard to outlook, in conflict with Policy P10 of the CS and Policy GP5 of the UDP. These policies include a requirement for development to be appropriate to its location and avoid a loss of amenity.
13. It would be contrary to the guidance set out within HDG2 of the SPD in relation to development proposals protecting the amenity of neighbours. It is also contrary to the Framework at Section 12, which seeks places that have a high standard of amenity for existing and future users.
14. The Council also allege a conflict with Policy BD6 of the UDP with regards to this matter. However, this policy relates to extensions and alterations being sympathetic to the existing building, and my attention has not been drawn to any words in this policy that are relevant to this main issue. The policy has therefore not been determinative in my decision.

Other Matters

15. The proposal would provide an immediate and urgent need for additional sleeping accommodation for the appellant's growing family. This benefit is largely a private matter. Moreover, it has not been shown that the appeal scheme is the only way for the appellants to achieve this aim and as such carries limited weight in the determination of this appeal. While the appellant has expressed frustrations with the Council's handling of the case, this has not affected my consideration of the planning merits of the scheme.

Conclusion

16. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR