



Appeal Decision

Site visit made on 2 May 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 June 2023

Appeal Ref: APP/N4720/D/23/3315169

3 Field House, Field Lane, Aberford, Leeds LS25 3AE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Harriet Worth against the decision of Leeds City Council.
 - The application Ref 22/06074/FU, dated 5 September 2022, was refused by notice dated 31 October 2022.
 - The development proposed is described as; Rear 2 storey extension with existing dilapidated store replacement.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The address in the above banner heading has been taken from the decision notice which is also reflective of the appeal form. This accurately describes the address as the original application form refers to Field House as opposed to No 3 Field House which is a different property.
3. The description of development on the decision notice and the plans submitted includes for part two storey, part single storey side and rear extension including alterations to wall to front. I have had regard to this.

Main Issues

4. The main issues are the effect of the proposed development on;
 - The character and appearance of the host property, including whether it would preserve or enhance the character or appearance of the Aberford Conservation Area (CA) and preserve the setting of the Grade II listed building, Field House; and
 - The living conditions of existing occupiers of Field House in relation to outlook and on the living conditions of existing occupiers of 4 Field Lane in relation to outlook, daylight/sunlight and privacy.

Reasons

Character and appearance

5. The appeal site relates to a reasonably sized two-storey dwelling located within a residential setting. The appeal site fronts onto Field Lane and is set back from the road and from the properties to the northeast which are more modest in size. The host property sits at a higher level with the topography of the land

falling to the east making it even more prominent and visible within the street scene. A high stone boundary wall is attached to the side of the front elevation which faces out onto the side garden/parking area of its neighbour at No 4 whilst also enclosing the rear garden area of the host property.

6. The site lies within the CA and the host property is also attached to the rear elevation of Field House which is a Grade II listed building. As such, I have a duty under Section S66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA and requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. I have also had regard to paragraph 199 of the National Planning Policy Framework (the Framework) which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. The CA is noted for its special architectural and historic interest with evidence of occupation from the Neolithic period to the present day. Its varying buildings and streetscape are important characteristics of the CA.
8. The site's significance is derived from its historic and aesthetic merits assumed to date from the 18th century exhibiting a strong aspect of its original character which is that of a traditional appearance with a well-balanced and spacious front elevation, landscaped garden and curved stairs leading to the main front door. The building is marked as a positive building within the Aberford's Conservation Area Appraisal and Management Plan, 2011 (CAAMP).
9. Field House is attached at a 90-degree angle to the appeal property which is said to have been built as a private academy and is also noted for its historic and aesthetic merits. It is identified as a landmark building within the CAAMP and shares many similar characteristics with the appeal site including its well-balanced and spacious front elevation comprising 3 large square sliding sash windows at first floor level and 2 at ground floor level separated centrally by a round headed doorway with a fanlight feature above. Field House is a larger more prominent building reflective of its historic origins. However, despite the appeal property not being listed, it is intrinsically attached to Field House. Based on the sharing of similar characteristics, the appeal property reads as a secondary element to the main building.
10. The proposed extension would significantly increase the overall width and depth of the property. Its front elevation would sit flush with the front of the property and its ridge height would also sit flush with the host property. As a result, substantial height and volume would be added. Rather than comprise a subservient addition to the existing dwelling, the proposed development would be an overly large addition on what is already a reasonably sized dwelling, completely altering the appearance, form, and proportions of the property.
11. The height and overall volume would significantly unbalance the front elevation design appearing as a prominent addition within the street scene drawing the eye away from the principal frontage. Given the site's location adjacent the road and the prominent and raised position of the site, it would unacceptably tower above its neighbours to the northeast and would draw the eye upwards which would further exacerbate the prominence of the extension.

12. The unbalancing of the property would threaten the secondary nature of the appeal property with Field House to the detriment of the listed building and its setting as the height and overall volume would appear unduly prominent in its surroundings.
13. The configuration to the front elevation incorporating the historic boundary wall with a window would not only harm the historic fabric of the wall but it would further exacerbate the prominence of the extension and would appear contrived and visually obtrusive in comparison to the more traditional form of the property. The overlapping of historic stone and render would also be at odds with/jar with the main dwelling.
14. A number of concerns have been raised regarding the ground floor dining room window in terms of solid to void ratio, the side door design, use of render over the stone detailing on the wall facing into the private garden and the stone coursing on the side elevation that currently faces part of the courtyard. However, such features would be well shielded from views given the location to the side elevation, topography of the land and presence of the boundary walling to the front. On this basis, such features would not in themselves be particularly harmful and would have very limited impact upon the street-scene. This would not however overcome the other harm identified.
15. My attention has been drawn to a previous application decision at the Methodist Church for extension work. However, there are material differences between this application and the appeal before me including their specific siting, location and overall historic origins and are therefore not directly comparable. In any event, I am considering the scheme that is before me, and I have identified the harm that would arise. I do not know the planning history regarding works that may have taken place at Field House. However, this does not justify further development which would be harmful to the overall character and appearance of the area.
16. For the reasons given above, the proposed development would unacceptably harm the character and appearance of the host property and thus would fail to preserve the character or appearance of the CA. It would also fail to preserve the setting of the listed building. This would result in less than substantial harm to the significance of these designated heritage assets.
17. Paragraph 202 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The benefits associated with the scheme are entirely to the benefit of the occupiers by increasing living accommodation at their property. Accordingly, I find that there are no wider public benefits to offset the identified harm to the CA or the setting of the listed building to which I have attached great weight given the requirements of the Framework.
18. The proposed development would therefore be contrary to Policies P10 and P11 of the Leeds City Council Core Strategy (as amended by the Core Strategy Selective Review 2019), 2019 (CS); Policies GP5, BD6, N14, N19, N20 and N25 of the Leeds Unitary Development Plan (Review – 2006), 2006 (UDP); Policy HDG1 of the Leeds City Council Householder Design Guide Supplementary Planning Document, 2012 (SPD); Policy BH1 of the Aberford & District Neighbourhood Development Plan (2018-2028), 2019 as well as guidance

within the CAAMP which together, amongst other things, seek to ensure that development is of a good design which conserves or enhances heritage assets and their settings.

19. The proposed development would not conserve the heritage asset in a manner appropriate to its significance, or positively contribute to local character or distinctiveness in line with the aims of Section 16 of the Framework relating to Conserving and Enhancing the Historic Environment.

Living conditions

20. The orientation of Field House means that their ground and first floor windows on the rear elevation look out onto the rear of the appeal site including the existing flat roofed garage/store. The proposed two storey rear extension would be located within very close proximity to the rear elevation of Field House. This close relationship, coupled with the extent of the projection and overall height would appear imposing and overbearing to existing occupiers of Field House and outlook from inside the property would be severely restricted and visually oppressive.
21. In terms of the relationship with No 4, the proposed development would be closer to its neighbour and thus visible. However, this would be at an angle given the positioning of the windows and the setback nature of the appeal site. As a result, outlook would still be largely retained when inside the property. The appeal site does however sit at a higher level than No 4 and this coupled with the positioning and overall scale of the proposed development would have an overbearing and enclosing effect on the outlook of users of the side garden/parking area. Additionally, the positioning and overall size of the development would affect the amount of daylight and sunlight that would reach the side garden/parking area and side windows to an unacceptable degree.
22. A number of windows would be located within the front elevation of the extension which would provide outlook onto the side garden/parking area of No 4. Given the setback positioning of the site and the level difference, it would allow for direct views from the windows to the side garden/parking area which would result in an undue loss of privacy for the occupiers of No 4. This in turn would reduce the usability and quality of the outside space which would be unacceptable. Any landscaping that exists would not be sufficient to overcome this harm.
23. For the above reasons, I conclude that the proposed development would harm the living conditions of existing occupiers of Field House in relation to outlook and on the living conditions of existing occupiers of No 4 Field Lane in relation to outlook, daylight/sunlight and loss of privacy. The proposed development would therefore be contrary to Policy P10 of the CS, Policy GP5 of the UDP and Policy HDG2 of the SPD which together, amongst other matters, requires all development proposals to protect the amenity of neighbours. The proposed development would also be contrary to the aspirations of the Framework relating to achieving well-designed places.

Other Matters

24. I appreciate that the proposed development would significantly improve the family's living space and I have had regard to the personal circumstances. However, the proposed development still lacks subordination and balance with

the general form and proportions of the host property and surrounding area, and such matters would not be sufficient to outweigh the harm identified.

25. I am aware of the appellant's frustrations regarding communication with the Council during the application process and note that the appellant has revised the design scheme following dialog with the Council. However, this does not affect my findings on the main issues nor does the lack of any adverse comments from the local parish or any letters of support received.
26. In considering this appeal, I have had due regard to the Public Sector Equality Duty (PSED) set out under Section 149 of the Equality Act 2010, in particular the need to eliminate discrimination against persons with the protected characteristics of age and/or disability, advancing equality of opportunity for those persons and fostering good relations between them and others. Following careful consideration of the family circumstances, I am satisfied that the impact of dismissing the appeal is proportionate and necessary.

Conclusion

27. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination including the provisions of the Framework, that outweighs the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR