



Appeal Decisions

Site visit made on 13 June 2023

by **C Dillon BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30 June 2023

Appeal A Ref: APP/N4720/D/23/3317471

Beech Chase, 19 Wetherby Road, Roundhay, Leeds LS8 2JU

- 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 Ben Everson against the decision of Leeds City Council.
 - The application Ref 22/08215/FU, dated 11 December 2022, was refused by notice dated 1 February 2023.
 - The development proposed is described as a two storey rear extension.
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Appeal B Ref: APP/N4720/D/23/3323151

Beech Chase, 19 Wetherby Road, Roundhay, Leeds LS8 2JU

- 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 Ben Everson against the decision of Leeds City Council.
 - The application Ref 23/01111/FU, dated 20 February 2023, was refused by notice dated 17 April 2023.
 - The development proposed is described as a two storey rear extension.
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Decision

1. Appeal A is dismissed.
2. Appeal B is dismissed

Preliminary Matters

3. Appeal A and Appeal B relate to the same appeal site and relate to different alternative development proposals.
4. The description of development cited on both of the Council's decision notices differ to those contained on the planning application forms. As there is no evidence that these descriptions were amended by agreement of the main parties, I rely upon the latter as that is what the appellant sought permission for in respect to both planning applications.

Main Issue

5. The main issue is the effect on the character and appearance of the Roundhay Conservation Area, with particular regard to the proposed design, form, materials, massing and relationship with existing trees.

Reasons

6. The appeal site is a large, stone built, detached 2 storey dwelling located within a generous plot in a predominantly residential part of the Roundhay Conservation Area. The appeal property is a more recent addition within the Conservation Area. It occupies a more secluded position than other properties, being well screened by surrounding mature trees and planting and set well back from Wetherby Road, a main route through this part of Roundhay.
7. Although properties here are mainly of a bespoke design, there is a high level of consistency even from the more contemporary additions which I observed during my site visit in terms of their scale, vertical proportions and design quality in terms of their built form, massing, palette of materials and mature leafy settings. The appeal property has been designed to reflect these characteristics and as such currently makes a positive contribution to this area.
8. The significance of the Roundhay Conservation Area is both historical and architectural.
9. The existing dwelling has a varied roof design arising from its main apex roof form, gable features, rear t-fall roof slope, dormer window and flat lantern roofed ground floor playroom. This adds interest to the building and successfully breaks up its large scale. The use of stone to construct the external walls and pitched roofs reinforce the design quality of the appeal building and its synergy with its important heritage context.
10. Appeal Proposal A ("Proposal A") and Appeal Proposal B ("Proposal B") are similar in that they share a common position to the rear elevation of the appeal property behind the existing garage. Each would occupy a similar footprint within the rear garden and be stepped back at first floor level. They would have a similar relationship with existing trees and bushes which delineate this plot's boundaries. The main differences between the 2 schemes are the proposed roof designs and choice of external materials. Furthermore, I note that the Council has only raised concerns about certain existing trees in respect to Proposal B.
11. I am satisfied that appropriate materials could be secured through suitably worded planning conditions. Furthermore, in view of the positioning and size of the appeal proposals relative to the plot size and distance from neighbouring buildings, I am satisfied that the massing arising from Proposals A and B would be acceptable in visual terms.
12. However, the proposed flat roof design of Proposal A would be a significant deviation from the character and appearance of the appeal property by virtue of its size, form, profile and materials. This is further exacerbated by the resulting juxtaposition between the main roof of the dwelling and garage by virtue of Proposal A's 2 storey nature. The horizontal emphasis of this particular proposal would heighten the contrast between the original dwelling and the proposed extension. Overall, this particular design would not achieve an appropriate level of subordination in a manner that would be sympathetic to the appeal property.
13. I note that Proposal A would not be visible from public vantage points within the Conservation Area. Nonetheless, when experienced as a whole, the negative effect on the appeal property's character and appearance would

undermine the high design quality which is prevalent in this Conservation Area. This harm translates to the significance of this designated heritage asset.

14. The pitched roof design of Proposal B would reflect the gable feature forming part of the existing rear elevation of the appeal property. However, the proposed ground and first floor level roof pitches would be noticeably shallower than the existing roofscape. More crucially, this scheme relies upon an extension to the height of part of the front roof plane of the garage. This would significantly disturb the consistency of the ridgeline of the existing garage. It would present a very awkward visual relationship between the extension and its host.
15. Glimpses of this compromised element of Proposal B's design would be visible from Wetherby Road, particularly during the times of the year when surrounding tree cover is more limited. The effect of this would be more pertinent because of the heightened visual sensitivity of this Conservation Area. My attention has been drawn to other unconventional roof designs in the area. However, these differ to that proposed in Proposal B and do not present the same level of design awkwardness and visual compromise.
16. The proposed flat roof section over the existing stairwell would be discreetly positioned and by virtue of its limited size would be visually absorbed against the existing rear roof plane and masked by the 2 apex roofs which would flank it.
17. I disagree with the Council's assessment of the proposed rooflights by virtue of their limited size and number. A suitable design and profile could be secured through a suitably worded planning condition.
18. The appellant has provided an Arboricultural Report. From this and my site observations, I do not find that the health and future prospects of any trees which are significant to the character and appearance of the Conservation Area would be prejudiced by either appeal proposal. Consequently, there is no conflict with Policy Land 2 of the Leeds Local Development Framework Adopted Natural Resources and Waste Local Plan. Neither would there be conflict with Policy LPD1 of the UDP which states that existing vegetation should be protected, and sufficient space allowed around buildings to enable existing trees to be retained in a healthy condition.
19. However, in view of my earlier findings, the particular design and appearance of Proposal A and Proposal B would each give rise to less than substantial harm to the character and appearance of this Conservation Area. Due to the level of visibility of each proposal within the Conservation Area this would be at the lower end of the spectrum of harm. Nonetheless, it would still be harm to the architectural significance of the Roundhay Conservation Area.
20. Paragraph 199 of the National Planning Policy Framework ("the Framework") 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In line with paragraph 200 of the Framework, any harm to the significance of a designated heritage asset should require a clear and convincing justification. Consistent with paragraph 202 of the Framework, the

less than substantial harm that would arise should be weighed against the public benefits of the proposal.

21. Crucially, the appellant has not demonstrated any public benefits associated with either appeal proposal. This indicates to me that both Proposal A and Proposal B are unacceptable when assessed against the Framework.
22. Furthermore, paragraph 126 of the Framework states that the creation of high quality, beautiful, sustainable buildings and places is fundamental to what the planning and development process should achieve. Planning decisions should ensure that developments function well and add to the overall quality of that area, are visually attractive as a result of good architecture and are sympathetic to local character and history. Furthermore, paragraph 134 of the Framework states that development that is not well-designed should be refused.
23. For these reasons, Proposal A and Proposal B would each give rise to unacceptable harm to the character and appearance of the Roundhay Conservation Area, with particular regard to the proposed design and form. However, I do not share the Council's concerns about materials, massing or effect on important trees.
24. Policy P10 of the Leeds Local Plan Core Strategy (as amended by the Core Strategy Review 2019) ("the Core Strategy") states amongst other things that alterations to existing buildings should be based on a contextual analysis and provide good design that is appropriate to its location, scale and function. The size, scale and design should be appropriate to its context and protect and enhance historic assets and protect visual amenity.
25. Policy P11 of the Core Strategy states that designated heritage assets will be conserved and enhanced. Policy P12 of the Core Strategy states that the character and quality of Leeds's historical significance will be conserved and enhanced to protect distinctiveness.
26. Policy GP5 of the Leeds Unitary Development Plan (Review 2006) ("The UDP") requires development proposals to resolve detailed planning considerations including amenity. Policy BD6 of the UDP states that all alterations and extensions should respect the scale, form, detailing and materials of the original building.
27. Policy N19 of the UDP states that all extensions within conservation areas should preserve or enhance the character and appearance of the area by ensuring that the detailed design of buildings, including roofscapes such that the proportions of the parts relate to each other, and materials used, are appropriate to the area.
28. In view of the identified harm, both Proposal A and Proposal B conflict with all of these policies and with the development Plan when read as a whole.
29. Furthermore, in view of the identified harm to significance of the Roundhay Conservation Area, Proposal A and Proposal B do not accord with the provisions of section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990.

Conclusions

30. Both Proposal A and Proposal B conflict with the development plan when read as a whole. There are no considerations weighing in favour of either of these proposals which would outweigh these conflicts.
31. For the reasons given, I conclude that Appeal A should be dismissed.
32. For the reasons given, I conclude that Appeal B should be dismissed.

C Dillon

INSPECTOR