



Appeal Decision

Site visit made on 4 July 2023

by A Caines BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 July 2023

Appeal Ref: APP/N4720/D/23/3320421

Ingle Nook, Main Street, East Keswick, Leeds LS17 9EU

- 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 Owen McLellan against the decision of Leeds City Council.
 - The application Ref 22/07275/FU, dated 24 October 2022, was refused by notice dated 26 January 2023.
 - The development proposed is described as 'single storey front extension with flat roof including lantern style roof light - following the removal of existing upvc porch/conservatory'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether the development would preserve or enhance the character or appearance of the East Keswick Conservation Area.

Reasons

3. The appeal site lies within the historic core of the East Keswick Conservation Area (the EKCA). From the evidence before me, and my own observations, the EKCA draws some of its special interest and significance from the layout and traditional architectural style of the stone cottages along much of Main Street, giving it a distinctive historic character.
4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the EKCA.
5. The appeal site is part of a stone terraced building comprising of 1-3 Inglenook. The building has a strong traditional character with a distinctive layout where Nos 2-3 are set further back from the road forming a small courtyard at the front. Indeed, the building is identified as a 'building of importance' in the East Keswick Village Design Statement supplementary planning guidance (Village Design Statement). I consider that through its age, distinctive form, and vernacular character, the building makes a positive contribution to the historic and architectural significance of the EKCA as a whole. However, the modern upvc conservatory at the appeal property is a negative addition to the building.
6. The proposal would replace the existing conservatory with a flat roof extension containing a mix of full-height glazing and areas of stonework, topped by a lantern rooflight.

7. Whilst the extension would utilise more sympathetic materials, it would be much larger than the existing conservatory, projecting well beyond the recess within which the existing conservatory is located and occupying a disproportionately large part of the courtyard. The distinctive plan form of the building and its historic layout would be significantly harmed as a result.
8. Moreover, its modern design and flat roof arrangement would give the extension a squat appearance, and together with the roof lantern and large windows, would appear harmfully at odds with the traditional form and details of the host building. Although it would be modest in scale relative to the building overall, its assertive form and design would have a marked adverse effect on the character and appearance of the host building. I note that the appellant would be willing to remove the lantern rooflight, but this alone would not make the scheme acceptable.
9. At present, the boundary fencing and vegetation enclosing the courtyard would limit visibility of the extension from the street. However, vegetation is not permanent, and I note from the Council's officer report that the planning status of the fence is uncertain. In any event, the statutory requirement to preserve or enhance the character or appearance of the EKCA applies irrespective of whether development is prominent or in wider public view.
10. The appellant has drawn my attention to other extensions in the village. However, the impacts of each individual case will vary, depending upon the particular characteristics of the site and the particular detailed proposal. For example, whilst the design of the extension at Wayside Cottage has the closest resemblance to the appeal scheme, there are material differences in the siting of the extension and configuration of the host property. The examples do little more than illustrate that different extensions to different buildings were found acceptable by decision makers. I have necessarily considered the appeal proposal on its own merits, and I have found that it would be harmful for its own specific reasons.
11. Overall, the proposal would have a harmful effect on the host building, and consequently would cause harm to the significance of the EKCA. The harm can be classed as less than substantial in the terms of the National Planning Policy Framework (the Framework). Nevertheless, in the context of the EKCA as a whole, it would fail to preserve or enhance its character and appearance. This is a matter to which I attach considerable importance and weight.
12. Any benefits of removing the existing conservatory would be negated by the harmful effects of the proposed development, so this is not a matter which weighs in favour of the scheme. The proposal would benefit the occupiers through the enlarged living space created, but these are private rather than public benefits. Consequently, there are no public benefits in this case which outweigh the harm to the EKCA.
13. The proposal therefore fails to satisfy the statutory requirements of the Act, and parts 12 and 16 of the Framework with regards to achieving good design and conserving and enhancing the historic environment.
14. The proposal is also contrary to the design and heritage protection requirements of Policies P10, P11 and P12 of the Leeds City Council Core Strategy (amended 2019); saved Policies GP5, BD6 and N19 of the Leeds City Council Unitary Development Plan (Review 2006); Policy HDG1 of the

Leeds City Council Householder Design Guide supplementary planning document; and Policies B1 and B2 of the Village Design Statement.

Conclusion

15. For the reasons given above, the proposal conflicts with the development plan and the Framework taken as a whole, and there are no material considerations which outweigh that conflict.
16. I therefore conclude that the appeal should be dismissed.

A Caines

INSPECTOR