
Appeal Decision

Site visit made on 11 October 2016

by S D Harley BSc(Hons) MPhil MRTPI ARICS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 October 2016

Appeal Ref: APP/N4720/D/16/3156823
25 Oakdene Close, Pudsey LS28 9LW

- 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 Mrs K Simpson against the decision of Leeds City Council.
 - The application Ref 16/02402/FU, dated 8 April 2016, was refused by notice dated 2 June 2016.
 - The development proposed is two storey side extension and single storey rear extension.
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Decision

1. The description of development as stated on the planning application form is set out above. The description on the decision notice is "part first floor, part two storey and part single storey side and rear extension". This more accurately describes the proposals as shown on the plan and is preferred.
2. The appeal is allowed and planning permission is granted for part first floor, part two storey and part single storey side and rear extension at 25 Oakdene Close, Pudsey LS28 9LW in accordance with the terms of the application Ref 16/02402/FU, dated 8 April 2016, subject to the following conditions:
 - a) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - b) No development shall commence until details of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - c) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and Proposed side elevations and floor plans dated 26 March 2016.

Main Issue

3. The main issue is the effect of the proposed two storey side extension on the character and appearance of the area.

Reasons

4. The appeal site is a semi-detached property attached to No 27 Oakdene Close which is a cul de sac in a residential area. The properties along the street are predominantly semi-detached houses although the houses to either side of
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Nos 25/27 are detached. The properties are characterised by their white rendered finish at first floor and attached garage to the side with gaps between the properties to provide access to the rear gardens. The houses have front gardens of varying depths so that the building line is not uniform.

5. The first floor element of the proposals would be some 0.8m from the boundary with No.23 leaving a gap between the side walls of Nos 23 and 25 of about 1.2m. The front wall of the proposed first floor would be set back by about 1.5m and the roof line would be lower than the existing ridge of the house.
6. Policy P10 of the Leeds Core Strategy 2014 and Saved Policy GP5 of the Leeds Unitary Development Plan Review 2006 (the UDP) conform with the National Planning Policy Framework (the Framework) in seeking good design that is appropriate to its location and ensures a good level of amenity for existing and future occupiers of land and buildings. Saved Policy BD6 of the UDP requires extensions to respect the scale, form, detailing and materials of the existing building and Policy HDG1 of the Supplementary Planning Document "Householders Design Guide, April 2012" (the Design Guide) sets out the details to which particular attention should be paid. The Design Guide explains that two storey side extensions can have a big impact on the character of a house and street by eroding the spaces between buildings. The Design Guide therefore advises that in a street of regular semi-detached dwellings such extensions should have a 1m gap to the side boundary with a 2m set back from the front wall of the property to retain the sense of space of the area.
7. However, in this case the house at No 23 is a different style of property to the appeal house, with its gable facing the street and its pitched roof sloping away from the shared boundary. It is set forward of No 25 and is some 0.4m from the shared boundary. Accordingly although the first floor element of the proposals would fall short of the above Design Guide guidelines by about 0.2m and 0.5m respectively, a sufficient degree of spaciousness would be retained to meet the aims of the Design Guide. Moreover although there are no other two storey side extensions in the street at present a suitably designed extension would not be incongruous or out of keeping with the locality.
8. The proposed design reflects that of the host building and there would be no unacceptable effects on the living conditions of the occupiers of the neighbouring properties. Accordingly I conclude that the proposals accord with the development plan as a whole, the Design Guide and the Framework.

Conditions

9. In the interests of proper planning it is necessary that the development should be carried out in accordance with the approved plans. Conflicting information has been provided about the proposed external facing materials so the submission of details is required in the interests of the appearance of the area.

Conclusion

10. For the reasons set out above, and taking into account all other relevant matters raised, I conclude the appeal should succeed.

SDHarley

INSPECTOR