
Appeal Decision

Site visit made on 7 November 2016

by Andrew McGlone BSc MCD MRTPI

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

Decision date: 10 November 2016

Appeal Ref: APP/N4720/D/16/3159409
48 Back Lane, Guiseley, Leeds LS20 8EB

- 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 Neil Southern against the decision of Leeds City Council.
 - The application Ref 16/03102/FU, dated 16 May 2016, was refused by notice dated 13 July 2016.
 - The development proposed is a first floor side extension porch to front.
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Decision

1. The appeal is dismissed insofar as it relates to the first floor side extension. The appeal is allowed insofar as it relates to porch to the front and planning permission is granted in accordance with the terms of the application, Ref 16/03102/FU, dated 16 May 2016, so far as relevant to that part of the development hereby permitted, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The materials to be used in the construction of the external surfaces of the porch hereby permitted shall match those used in the existing building.
 - 3) The development hereby permitted shall be carried out in accordance with the approved plans.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Guiseley Conservation Area (GCA).

Reasons

3. The appeal site is part of a pair of semi-detached dwellings in GCA. This part of the CGA contains residential dwellings that display a variety of style, form and use of materials. Opposite is a row of stone and slate cottages that line Back Lane. The appeal site is more akin to the semi-detached and detached dwellings found on Renton Avenue, through the use of a hipped roof, siting, style and use of materials. The appeal site and 42 Back Lane both benefit from single storey extensions to the side. The other dwellings in the respective pairs have not been extended in this manner. A large area of open space linked to a modern housing development is adjacent to the northern boundary of the site.
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4. The proposed development includes a porch. I note and share the Council's findings on this aspect of the proposal in that it would be a modest addition that would reflect the detailing and the use of materials found in the host dwelling. The effect of the porch on the GCA would be neutral. It would therefore preserve or enhance the character or appearance of the GCA. As the porch is clearly severable from the first floor side extension, I conclude that this aspect of the proposal would comply with Policies P10 and P11 of the Council's Core Strategy, saved Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan (UDP), Policy HDG1 of the Council's Householder Design Guide Supplementary Planning Document (HDGSPD) and paragraph 132 of the National Planning Policy Framework (the Framework). These policies, seek to ensure extensions reflect the scale, form and massing of the dwelling to preserve or enhance the character and appearance of the conservation area.
5. The remainder of my decision shall focus on the first floor side extension. The HDGSPD sets out in respect of two storey side extensions that "*the proportions of the extension must respect the proportions of the house and generally they should not exceed two thirds of the width of the main house.*" The appellant does not dispute the Council's assertion that the proposed side extension would be 3.8 metres in width and contrary to the HDGSPD. I recognise that the HDGSPD points to a general approach; nevertheless the HDGSPD has been adopted by the Council and I attach it considerable weight in light of this.
6. The proposed first floor side extension would be sited in a prominent position in the street scene. The scale of the side extension would significantly increase the width of the dwelling at first floor which would further detract from the symmetry of the semi-detached pairing. Whilst, little would change on the ground floor, a first floor extension would be more prominent and highlight the added width which is being sought. It would therefore dominate the character and appearance of the dwelling and it would not be a subservient addition.
7. Accordingly, I do not consider that the scale or massing of the proposed first floor side extension to reflect the host dwelling and in turn to represent a positive contribution to the character of the area. The proposed side extension, would, despite the use of materials and its general appearance, fail to preserve or enhance the GCA due to the proposed width.
8. Even though a subsequent application has been granted planning permission¹ for a 3.5 metre wide first floor side extension, I do not consider this permission justifies the width of the proposal to the appeal site. Whilst the two schemes may have similarities, without details of the plans that form part of that approval, I am unable to attach any substantial weight to the appellant's point. In any event the subsequent approval relates to a smaller scheme and I am required to determine this appeal on its own merits.
9. With regard to paragraph 134 of the Framework the harm to the GCA would be less than substantial. Even so, this still amounts to a harmful impact which adversely affects the significance of the GCA as a heritage asset. Public benefit would arise from a larger dwelling that would increase the size of the existing rooms, which would enhance the quality of the occupant's living space. However, the harm to the GCA and the site would, to which I attach considerable importance and weight, in my view, clearly outweigh this modest public benefit.

¹ Council Application Ref: 16/04436/FU

10. For the reasons set out above, I conclude that the proposed first floor side extension would not preserve or enhance the character and appearance of the GCA. The proposal would therefore be contrary to Policies P10 and P11 of the Core Strategy, saved UDP Policies GP5, BD6 and N19, Policy HDG1 of the HDGSPD and paragraph 134 of the Framework. These policies, seek to ensure extensions reflect the scale, form and massing of the dwelling to preserve or enhance the character and appearance of the conservation area.

Conclusion and Conditions

11. I have regard to the conditions suggested by the Council. Insofar as the porch is concerned, I have imposed a condition specifying the development permitted shall be carried out in accordance with the approved plans. A condition is necessary relating to matching materials to ensure the development harmonises with the character and appearance of the site and GCA.
12. For the reasons set out above, I conclude that the appeal should succeed in respect of the porch and be dismissed insofar as the first floor side extension. On this basis a split decision is therefore issued.

Andrew McGlone

INSPECTOR