The Planning Inspectorate

Appeal Decision

Site visit made on 18 January 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 31st January 2017

Appeal Ref: APP/N4720/D/16/3161127
127 Moorgate Road, Kippax, Leeds LS25 7ET

- 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 David Stead against the decision of Leeds City Council.
- The application Ref 16/04165/FU, dated 3 July 2016, was refused by notice dated 5 September 2016.
- The development proposed is double side extension.

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 127 Moorgate Road, Kippax, Leeds LS25 7ET in accordance with the terms of the application, Ref 16/04165/FU, dated 3 July 2016, subject to the following conditions:

    1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Plans and Elevations Number 01; Proposed Plans and Elevations Number 02 Revision A.

    3) The external materials to be used in the development hereby permitted shall match those of the existing building.

Preliminary Matter

2. The description of the development in the heading above is taken from the original application form. However, in my formal decision I have used that which appears on the Council's decision notice. I consider this to provide a more accurate and clear description of the development.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site is one of a semi-detached pairing on a residential cul-de-sac. The dwellings are all of a broadly uniform design, though a number have been subject to alterations. However, they are all two storey dwellings with cladding above the ground floor and pitched roofs. All of the dwellings on the street are also set back from the roadside behind front gardens and drives. The proposed

extension would replace an existing detached single storey garage located to the side of the house.

5. The general design of the extension, including the use of materials, the position and nature of the windows, the roof profile and the detailing of the cladding would all complement that of the host dwelling. While somewhat larger, the resulting building would still be largely consistent with the generally uniform character of the cul-de-sac. The host dwelling, and others on the street, are of an uncomplicated design, which the extension would satisfactorily reflect. Moreover, the complementary nature of its design, detailing and materials would not lead to the extension having an unacceptable impact on the character of the host dwelling or that of the semi-detached pairing. As such, it would not be out of keeping with other dwellings in the immediate area.

6. The development would clearly create some imbalance between No 127 and No 125 which, apart from the colour of cladding, still broadly retain their original symmetrical scale and form. I note here, however, that the Council have not objected in principle to an extension, and thus there is no presumption against development that may result in a degree of imbalance between semi-detached pairings. While the extension would be relatively wide, the complementary nature of its design and detailing would minimise any negative impacts of the resulting asymmetry.

7. The site also sits on a corner plot adjacent to the turning head and there is a significant gap between No 127 and No 129. This would be narrowed to an extent, but there would still be an element of side garden remaining, the width of the turning head and the front garden of No 129 between the buildings. Therefore, the extended dwelling would not appear cramped in its plot and the space to the side would help to soften the impact of the width of the extension on the host dwelling, the semi-detached pairing and the wider area. As a result, it would not be seen as an overly dominant or intrusive building on the cul-de-sac. The site is at the end of the street and would not be particularly visible or prominent in a wider context. While it would clearly be seen from the private views of residents on the cul-de-sac, the complementary nature of the design would ensure it would not appear as inappropriate or incongruous addition to the street scene.

8. The development would be a similar width to the host dwelling and, as a result of the minimal setback, it would not appear as a particularly subordinate feature. However, the Householder Design Guide Supplementary Planning Document (SPD) only states that 'in most circumstances' extensions should be subordinate. Whilst the officer report sets out a number of expectations about proportions and setback, these do not appear to be part of the policies referred to. The requirements of the policies and SPD are that extensions should respect the scale, form, detailing and materials of the original building and should not harm the character and appearance of the area.

9. While subordination and symmetry are important factors in considering the impact of a development, neither the policies nor guidance indicate that an absence of such characteristics is necessarily determinative in themselves. I consider the development to meet the requirements of the policies and, in this case, the degree of subordination and symmetry exhibited would not lead to material harm.

10. In coming to my decision, I have had regard to the other examples of extended dwellings on the same cul-de-sac. There are two examples of side extensions that have resulted in unbalanced semi-detached pairings. In both cases, the extensions are also flush to the front building lines and do not appear subordinate to their host dwellings. Moreover, in the case of No 129, the appearance of that dwelling is not dissimilar to that of the proposed development. While I do not have the full details of how or when these extensions were built, in neither case do I consider them to have a detrimental effect on the street scene or the established character of the cul-de-sac. In my view, there is no reason why the development would have a different or greater effect on the character of the area than these dwellings.

11. In conclusion, I find that the development would not have a materially detrimental impact on the character or appearance of the area. Accordingly, I find no conflict with Leeds Core Strategy (2014) policy P10, saved policies GP5 and BD6 of the Unitary Development Plan Review (2006) or the SPD which seek, amongst other things, to ensure that extensions and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and locality and to resist development which harms the character and appearance of the area. I also find no conflict with the requirements of the National Planning Policy Framework which seeks to secure a high quality of design that responds to local character.

Other matters

12. I have noted that in the Council's officer report, reference is made to an extension at 85 Moorgate Lane and that this had not been built in accordance with the plans. However, the appellant made no mention of this in their appeal statement and thus I did not observe or consider this example in my decision.

Conditions

13. I have considered the suggested conditions from the Council in accordance with the guidance contained in the Planning Practice Guidance (PPG). In addition to the standard condition which limits the lifespan of the planning permission, I have imposed conditions specifying the relevant drawings as this provides certainty. I have also imposed a condition relating to the use of materials in the interests of the character and appearance of the area.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed.

S J Lee

INSPECTOR