



Appeal Decision

Site visit made on 27 January 2017

by **Peter D Biggers** BSc Hons MRTPI

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

Decision date: 8 February 2017

Appeal Ref: APP/N4720/D/16/3162034

17 Sandpiper Approach, Morley LS27 8GU

- 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 Paul Temple against the decision of the Leeds City Council.
 - The application Ref 16/03018/FU, dated 11 May 2016, was refused by notice dated 24 August 2016.
 - The development proposed is ground and first floor extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the surrounding area of Sandpiper Approach.

Reasons

3. Sandpiper Approach, where the appeal site is located, is part of a large, modern residential estate with properties built of contrasting brick and tile. The properties are mainly two storey, semi-detached properties and generally have side separation provided by the drive to each house. The drives have no physical boundary between the houses and the separation they provide therefore affords a spacious character to this part of the estate.
 4. In the immediate vicinity of the appeal site there are very few two storey side extensions. One such extension has been constructed at No 8 Sandpiper Approach but this retains some separation to the plot boundary. I have also been referred to side extensions in Peacock Green but no specific addresses were given and I do not have full details of these and so cannot be certain that the circumstances are similar. I have therefore determined the appeal case on its own merits.
 5. The appellant did submit revised plans increasing the extent of set back from the front of the host dwelling to 3 metres but did not alter the width of the extension which extends right to the side of the plot.
 6. The *National Planning Policy Framework* (the Framework) attaches great importance to seeking a high quality of design. Policy P10 of the *Leeds Core Strategy* (LCS) is consistent with paragraph 58 of the Framework in requiring development to enhance existing streets, spaces and buildings and contribute positively towards place making of the local area. Specifically in respect of extensions and alterations, the Council has also published a Supplementary Planning Document – *Leeds Householder Design Guide* (SPD) to ensure such development is appropriate in its context. At HDG1 it requires development to
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respect the scale, form, proportions, character and appearance of the main dwelling and the locality.

7. I acknowledge that in setting the extension back from the front elevation and down from the ridge and proposing to match the style, design and materials of the host dwelling the proposal would appear subordinate and sympathetic to the host dwelling. However, the SPD makes it clear that side extensions that would not leave any separation to the side boundary will not normally be acceptable. I accept that the SPD is intended as guidance but in proposing to build across the full width of the side drive the proposal would change the relationship of space to buildings, and result in a cramped form of development to the detriment of the character and appearance of Nos 15 and 17.
8. Because of the set-back I accept the extension would be less visible approaching along Sandpiper Approach however from Pipit Meadow, opposite, the adverse effect of the extension up to the side boundary on the space between the buildings would be unacceptable.
9. I have considered the Council's argument that the appeal proposal would set a precedent for development of this nature in the estate which cumulatively would significantly change the character and appearance. I saw on my site visit that there would be extensive scope for this type of side extension in the estate. Therefore, whilst each application must be treated on its merits, there is a reasonable prospect of similar side extensions being repeated nearby. The effect of this would be harmful and contribute to a terracing effect, or at least linked side extensions, changing the spacious character of the estate. In these circumstances, precedent is not a generalised fear, but a realistic and specific concern and allowing this appeal would make it more difficult to resist planning applications for similar side extensions in the future.
10. I conclude that the side extension, built to the common boundary, with No 15 would adversely affect the character and appearance of Sandpiper Approach which, if replicated elsewhere, would create a terracing effect that would significantly change the character of the area. Accordingly the proposal would conflict with LCS policy P10, the SPD and the Framework.

Other Matters

11. I acknowledge that in proposing a modest side extension the appellant would be seeking to make sustainable and effective use of his home, an objective which is encouraged by the Framework. However, even if such a social benefit would be secured, the Framework adopts a wide definition of sustainability. Indeed, it makes clear at paragraph 6 that regard must be had to the document as a whole in determining what the concept means in practice. Paragraph 8 of the Framework states that all economic, social and environmental gains should be sought jointly. In terms of paragraph 9 of the Framework, and for the reasons given above, the development would not be a positive improvement in the quality of the built environment. In this case, the proposal would not be sustainable development in the terms of the Framework and the presumption in favour should not apply.
12. Third parties have expressed additional concerns about the impact of the extension on parking provision on the drive and also about the enclosing effect of the extension and the effect on light to side windows in No 15.
13. The Council accepts the appellant's case that the proposal would not preclude provision for 2 cars on each drive, and considers that the extension would not have

any impact on the living conditions for occupants of No 15 as a result of proximity. However, even if I were to concur with the Council on this aspect of the proposal, this would not outweigh my concerns about the impact of the proposed extension on the character and appearance of the surroundings.

Conclusions

14. I have considered the matters before me and, for the reasons given above, I conclude that the appeal should be dismissed.

P. D. Biggers

INSPECTOR