

Appeal Decision

Site visit made on 27 February 2017

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 6th March 2017

Appeal Ref: APP/N4720/D/17/3167458

36 Crowther Avenue, Calverley, Pudsey LS28 5SB

- 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 Hargreaves against the decision of Leeds City Council.
 - The application Ref 16/06536/FU, dated 1 June 2016, was refused by notice dated 13 December 2016.
 - The development proposed is rear extension single storey.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council has clarified that the policies pertinent to this appeal are Policy GP5 of the Leeds Unitary Development Plan (UDP) (Review 2006) and Policy HDG1 of the Council's Householder Design Guide (HDG) Supplementary Planning Document 2012, in addition to Policy P10 of the Council's Core Strategy (Core Strategy) 2014.

Main Issue

3. The main issue in this case is the effect of the proposal on the character and appearance of the host property and area.

Reasons

4. The appeal property is a detached house with a single storey extension to the rear situated on the south side of Crowther Avenue. To the rear is a detached garage accessed by a narrow driveway which runs along the side of the property. There is a long rectangular garden to the rear beyond which lies open countryside which is in the Green Belt. The surrounding area is predominately residential characterised by a mix of dwelling types including detached and semi-detached houses and bungalows.
 5. The proposal would involve the replacement of the existing garage and single storey extension. The proposed garage would sit on the same footprint of the existing garage and the proposed materials of stone and render would match that of the existing property. However, the proposed extension would project along the existing side elevation of the property by approximately 10.6m in total from the rear elevation. The footprint of the extension would be similar to that of the host property resulting in an extension that is disproportionate in scale to the original dwelling. Furthermore, the elongated horizontal form would fail to reflect the character of the existing dwelling which has a more compact footprint and a vertical emphasis. Moreover, the fenestration pattern of the extension would be unbalanced with virtually no articulation on the side elevations and would, therefore, fail to reflect that of the host property.
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6. The appellant points to the space between the existing garage and rear extension that would effectively be infilled by the proposal with a limited increase in elevation compared to the existing position. However, the existing garage is currently detached from the host property and the gap provides a visual break from development. Consequently, the garage appears as an outbuilding which is ancillary and subservient to the host property. In contrast, the extension would be attached to the property resulting in an elongated form which would dominate the host property. The additional infill would increase the length of side elevation with virtually no articulation thus emphasising the incongruous nature of the proposal.
7. Taking these factors in combination, I consider that the extension would be an incongruous and dominant addition which would fail to reflect the scale and character of the host property. The proposal would not have a materially greater effect on the street scene than the existing garage. However, given the inter-visibility between neighbouring properties gardens and the exposed nature of the garden to the rear, I consider that the extension would also have a harmful effect on the character and appearance of the area.
8. Attention is drawn to development which could be constructed under permitted development rights. However, an extension constructed under permitted development rights would have less depth than the proposed extension. Furthermore, a less elongated form would be more sympathetic to the character of the host property. Consequently, the fall-back position of permitted development would be less harmful than the appeal proposal and does not, therefore, justify the harm which I have identified.
9. Whilst there may be other properties in the area with extensions to the rear, the Council clarify that there is no planning history for those extensions. Consequently, I cannot be certain that they benefit from planning permission which limits the weight which I can attach to them in my Decision.
10. The proposal would have some benefit for the appellant and his family including additional living accommodation to meet his son's needs. Whilst I have had regard to these benefits, there is no evidence before me to suggest that they could not be achieved by other means and consequently, they do not outweigh the significant harm which I have identified.
11. For the reasons stated above, I conclude that the proposal would harm the character and appearance of the host property and the area. It would, therefore, be contrary to Policy P10 of the Core Strategy which states that new development will be expected to deliver high quality innovative design appropriate to its scale and function. Furthermore, the proposal would be contrary to saved Policy GP5 of the UDP which states that development proposals should resolve detailed planning considerations including, amongst other things, design. Finally, conflict would arise with Policy HDG1 of the HDG which states that all extensions, additions and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and locality.

Conclusion

12. For the reasons stated and taking all other considerations into account, the appeal should be dismissed.

Caroline Mulloy

Inspector