
Appeal Decision

Site visit made on 21 February 2017

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 20th March 2017

Appeal Ref: APP/N4720/D/16/3162161

20 High Ash Avenue, Alwoodley, Leeds. LS17 8RG

- 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 Jaswant Singh Gillard against the decision of Leeds City Council.
 - The application Ref: 16/04708/FU, dated 26 July 2016, was refused by notice dated 3 October 2016.
 - The development proposed is a two storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The proposed development is described on the planning application form as "Proposed rear double storey extension", whilst the decision notice issued by the Council describes it as "Two storey rear extension". This latter is a slightly more logical way of describing the proposal and I note that the appellant has adopted this description on the appeal form. I have therefore used the Council's description for the purposes of the appeal.
3. The planning application was made in the name of Mr K Singh, who was also named as agent. The name of the appellant given on the appeal form is Mr Jaswant Singh Gillard. The right of appeal is given only to the original applicant. This matter was queried with the original applicant who has subsequently provided written confirmation that the appeal could proceed in the name of Mr Jaswant Singh Gillard. I have determined the appeal on this basis.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

5. The appeal building is a large bungalow that has previously been extended to the side and has large box dormer windows on the front and rear roof slopes. A conservatory and a small, flat roofed, extension have also been added to the ground floor rear of the house. It is situated within an estate of mid-Twentieth
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Century houses and bungalows, many of which have been altered and extended.

6. Policy P10 of the Leeds Core Strategy 2012 (Core Strategy) requires, among other things, that new development should be based on a through contextual analysis of its surroundings and is of a size and scale appropriate to its location. Saved Policy GP5 of the Leeds Unitary Development Plan (Review) 2006 (UDP) seeks to ensure that new development is well designed and avoids environmental intrusion and loss of amenity. UDP Policy BD6 relates specifically to domestic extension and requires that these should respect the scale, form, detailing and materials of the original building. The Leeds Householder Design Guide 2012, which has to be read alongside the general design policies in the development plan reiterates the requirements of Policy BD6 in Policy HDG1 and adds that particular attention should be paid to the roof line and roof form, which should replicate the proportions, pitch, shape and materials of the main house.
7. Although the UDP predates the publication of the National Planning Policy Framework (the Framework), Saved Policies GP5 and BD6 are consistent with the objectives of the Framework to secure a high standard of design and can, therefore, still be given significant weight.
8. It is common ground between the parties that the extension to the ground floor is not in itself objectionable, as it would align with the existing flat roofed rear extension that has previously been added to the building. Nonetheless, the appeal proposal would also extend the existing rear dormer. This would result in a first floor extension set back 0.5 metres from the rear wall of the ground floor extension and inset approximately 1.5 metres from each side of the main roof.
9. The first floor extension would have a flat roof joined to the sloping roof of the rear dormer, which is itself at a shallower pitch than the main roof. Due to the relatively steep pitch of the main roof, the large dormers presently on the house are very prominent and the addition of a further extension to the rear dormer would add significant additional massing to the roof of the building. This would be exacerbated by the flat roof of the proposed extension and, as a result, the proposed first floor element of the extension would not sit comfortably alongside the other elements of the roof and would appear as an excessively large and incongruous addition to it.
10. Although the rear of the building cannot readily be seen from the public domain, the roof extension would be visible from the gardens of adjoining properties on High Ash Avenue and from the rear of houses on High Ash Mount, albeit partially screened by trees within the garden areas.
11. Whilst the surrounding estate has been much altered over time and there are large, flat roofed, first floor extensions evident, I saw on my site visit that these will mostly pre-date the current development plan policies and are not the type of development which should be used to justify a similar extension on the appeal building. It is proposed that the flat roof of the first floor extension would be finished in glass reinforced plastic which would be inconsistent with the tiled roof of the main house. As set out above, the proposed extension would not be well related to the main roof of the house and would appear disproportionately large. In my view, this would not represent good design,

and the proposal would consequently fail to meet the requirements of UDP Policy B6 and the Leeds Householder Design Guide.

12. I therefore find that the proposed development would cause harm to the character and appearance of the area. It would be contrary to the relevant requirements of Core Strategy Policy CP10, Saved policies GP5 and BD6 of the UDP and Policy HDG1 of the Leeds Householder Design Guide 2012 which seek to secure a high standard of design that is informed by its context. It would also be inconsistent with the Framework which seeks to ensure a high standard of design in all new development.

Other matters

13. Although the proposed development would result in additional built development at first floor level that would project beyond the rear walls of the properties to each side, as it would be set in from the edges of the roof it would not appear excessively overbearing. Due to this projection beyond the neighbouring houses, the proposed extension would result in some loss of light to these properties at certain times of day. However, as the rear of the houses are orientated to the South West, this loss of light would not be so significant as to warrant refusing planning permission.
14. There is no substantive evidence in respect of parking stress in the area, however, the appeal building has a double garage and a large driveway capable of accommodating several vehicles. High Ash Avenue has a wide carriageway and there was very little on street parking at the time of my site visit. I am, therefore, satisfied that any additional parking requirement that may be generated by the proposal could be accommodated either on site or on the highway. I also note that the Council has not raised any of these matters as an issue. Nevertheless, none of these points, either individually or cumulatively, would lead me to a different conclusion on the main issue.
15. Whilst I note the appellant's point that the planning case officer indicated that he was minded to recommend that the planning application be granted, ultimately, this was not the formal decision of the Council and the Council has subsequently set out why the application was refused planning permission.

Conclusion

16. For the above reasons, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR