
Appeal Decision

Site visit made on 4 July 2017

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 18 July 2017

Appeal Ref: APP/N4720/D/17/3172793

6 Chatsworth Road, Pudsey, LS28 8JS

- 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 Qaisir Ilyas against the decision of Leeds City Council.
 - The application Ref 16/07722/FU, dated 7 December 2016, was refused by notice dated 1 February 2017.
 - The development proposed is described as two-storey side extension. Single-storey side and rear extension. Side gable wall extension and dormer window to rear forming rooms in roof space. Detached store to rear.
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Decision

1. The appeal is dismissed insofar as it relates to development described as *two-storey side extension. Single-storey side and rear extension. Side gable wall extension and dormer window to rear forming rooms in roof space.*
2. The appeal is allowed insofar as it relates to *detached store to rear* and planning permission is granted for *detached store to rear* at 6 Chatsworth Road, Pudsey, LS28 8JS in accordance with the terms of the application, Ref. 16/07722/FU, dated 7 December 2016, so far as relevant to that part of the development hereby permitted and 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 materials to be used in the external surfaces of the *detached store to rear* hereby approved shall match those used in the existing house.
 - 3) The *detached store to rear* hereby permitted shall be carried out in accordance with the following approved plans: location plan; and, drawing no. 93/13/01C.

Main Issue

3. I consider that the main issue in this case is the effect of the proposed main roof and side extensions on the character and appearance of No. 6, the semi-detached pair of which it forms part and the street scene.

Reasons

4. Nos. 6 and 8 are an adjoining pair of hip roofed semi-detached houses, which front onto the northwestern side of Chatsworth Road a short distance to the southwest of its junction with Galloway Lane. In common with many of the
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semi-detached pairs of houses to the southwest along Chatsworth Road, the principle features of the front elevations of Nos. 6 and 8 are symmetrical in appearance. This makes a positive contribution to the character and appearance of the street scene.

5. HDG1 of the Council's *Householder Design Guide Supplementary Planning Document, 2012* (SPD), indicates that all extensions, additions and alterations should respect the character and appearance of the main dwelling and the locality. Particular attention should be paid to, amongst other things, the roof form which, as the explanatory text identifies, often contributes significantly to the character and appearance of the house. In this case, the proposal includes modification of the main roof of the property from a hip to a gable, unbalancing the symmetrical appearance of Nos. 6 and 8.
6. The scheme would also include the addition of a two-storey side extension with a side gable. At ground floor level this extension would almost entirely fill the gap between the dwelling and the side boundary shared with No. 4 and would be set back only slightly from the alignment of the main front wall of the house. At first floor level the extension would be set back further from the alignment of the main front wall of the dwelling and the side boundary shared with No. 4, and the ridge level would be slightly lower than that of the main roof. Nonetheless, the modest set-backs and slightly lower ridge level would not be sufficient to prevent the side extension from adding significantly to the bulk of the dwelling. The unbalancing effect of the main roof extension would be exacerbated by the addition of the two-storey side extension.
7. I saw some properties in the locality to which a two-storey side extension has been added. They were either not subservient to the main dwelling or detailed in a manner not in keeping with it. In my view, they do not reflect the best attributes of the area and harm both the character and appearance of the host properties and the surroundings. The existence of those extensions would not justify harmful development of the No. 6.
8. I conclude that the proposed main roof and side extensions would have a significant detrimental effect on the character and appearance of No. 6, the semi-detached pair of which it forms part and the street scene. In these respects the scheme would conflict with Policy P10 of the *Leeds Core Strategy* (CS), Policy BD6 of the *Leeds Unitary Development Plan* (UDP) and HGD1 of the SPD, which seek, between them, to secure high quality design and ensure development respects streets and buildings according to the particular local distinctiveness, in keeping with the aims of the *National Planning Policy Framework* (the Framework). Whilst the Council's reason for refusal also makes reference to UDP Policy BD5 and HDG2 of the SPD, they are primarily concerned with the living conditions of residents and so appear to me to be of little relevance in relation to the main issue.

Other matters

9. In March 2014 the Council granted planning permission Ref. 14/00381/FU for a main roof and side extension at No. 6. However, it was not directly comparable to the proposal before me, primarily as at ground floor level the side extension was to be set apart from the side boundary shared by No. 4 by a much greater distance, reducing the bulk of the extension. Furthermore, from what I have read and seen, it appears to me that that planning permission has not been implemented and is no longer extant and so I give it no weight as a

fallback position. In December 2014, the Planning Inspectorate issued a split appeal decision Ref. APP/N4720/D/14/2226432, which dismissed the appeal insofar as it related to main roof and two-storey side extensions of No. 6. However, that proposal also differed from the scheme before me, not least as the ridge level of the proposed side extension would have been the same as that of the main roof. Under the circumstances, I give little weight to the previous permission and the previous appeal decision insofar as it related to main roof and side extensions.

10. Whilst the proposal would also include the addition of a single-storey rear extension to the main dwelling and a rear dormer to the extended main roof, neither of which would be visible from Chatsworth Road, they are not severable from the proposed main roof/two-storey side extensions. Therefore, I cannot issue a split decision in relation to them.
11. As well as extensions to the main dwelling, the appeal scheme includes the erection of an outbuilding towards the back of the rear garden of the property, which is described on the planning application form as '*detached store to rear*'. Planning permission has previously been granted for that structure in the form of the split appeal decision Ref. APP/N4720/D/14/2226432, issued in December 2014. I have no reason to believe that the proposed outbuilding before me would harm any interests of acknowledged importance. The Council does not object to it. Therefore, I will issue a split decision, allowing that part of the appeal scheme.

Conditions

12. The Council has suggested 3 conditions which it considers should be imposed in the event of planning permission being granted. In addition to the normal commencement condition, a condition would be necessary in the interests of visual amenity to ensure that the materials used in the external surfaces of the proposed outbuilding match those of the main dwelling. A condition would also be necessary, in the interests of certainty, to ensure that the works would be carried out in accordance with the approved plans.

Conclusions

13. For the reasons given above, I conclude that insofar as it relates to a *detached store to rear* the appeal should be allowed. I conclude that insofar as it relates to development described as *two-storey side extension*. *Single-storey side and rear extension*. *Side gable wall extension and dormer window to rear forming rooms in roof space* the proposal would not amount to sustainable development under the terms of the Framework, it would conflict with the Development Plan taken as a whole and the appeal should be dismissed.

I Jenkins

INSPECTOR