
Appeal Decisions

Site visit made on 18 July 2017

by Siobhan Watson BA(Hons) MCD MRTPI

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

Decision date: 28 July 2017

Appeal Ref: APP/N4720/D/17/3174791

310 Bradford Road, Stanningley, Pudsey, LS28 7TQ

- 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 Mrs Shan against the decision of Leeds City Council.
 - The application Ref 16/07697/FU, dated 4 November 2016, was refused by notice dated 15 March 2017.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I saw at my visit that the proposed side extension has been partially constructed. The walls of the ground floor element have been constructed to roughly ceiling height. I was therefore able to get a good impression of what the overall size and massing of the extension would be if completed.

Main Issues

3. The main issues are the effect of the proposed extension upon (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of the appeal house in respect of the provision of amenity space.

Reasons

Character and Appearance

4. The appeal dwelling is at the corner of Bradford Road and Meadow Park Crescent and is one of a pair of semi-detached houses. Efforts have been made in an attempt to keep the extension subservient to the main house: the proposed ridge height of the side extension would be lower than the ridge of the main roof and the first floor front elevation would be set back from the original front elevation.
5. Nonetheless, the extension is sited much closer to the back of the pavement of Meadow Park Crescent than neighbouring dwellings. This protrusion towards the highway, in combination with the long length of the extension, makes it appear prominent in the street-scene. Furthermore, the dwelling has been left with a very small amount of space around it, resulting in the house looking too big for its plot.

6. Even though the unfinished extension it is not half the height it is proposed to be, its proximity to the road, its existing height, length, position and excessive plot coverage already make it obtrusive, dominant and incongruous within the street scene. Constructing it to full height would grossly exacerbate the existing harm.
7. Furthermore, the bricks do not match those of the original building and this factor adds to the poor appearance of the development. I note the appellant's reference to an extension at 308 Bradford Road, but this extension is not as large as the appeal proposal.
8. I therefore conclude that the proposed extension would harm the character and appearance of the area. Consequently, I find conflict with Policies GP5 and BD6 of the Leeds Unitary Development Plan (UDP) and Policy P10 of the Leeds Core Strategy (CS) which, in combination, seek to ensure that development respects the character and appearance of the area with regard to materials, scale, design, and layout. It would also conflict with Policy HDG1 of the Leeds Householder Design Guide Supplementary Planning Document (SPD) which has similar objectives.

Living Conditions

9. The resultant dwelling would be a large 4-bedroomed family house. The remaining rear garden area would be extremely small and the space at the side would be reduced to little more than a passage, which would not be particularly functional. Overall, the private amenity space would leave very little room for children's play. I note the appellant's comments that her children cannot play unsupervised in the garden but this does not mean that current or future child occupants of the house should never have an adequate outdoor private amenity area. In addition to a lack of play space, there would also be very little private space to undertake other family activities such as sitting out, drying clothes and growing plants. I therefore consider that the resultant amount of amenity space is inadequate for a large family dwelling.
10. I conclude that the proposal would harm the living conditions of the occupiers of the dwelling due to a lack of private amenity space. Consequently, I find conflict with UDP Policy GP5 and CS Policy P10 which, together, seek to protect residential amenity including the protection of useable space. The Council has referred to Policy HDG3 of their SPD in this respect, but I do not have a copy of that policy before me.

Other Matters

11. I understand that the extension would be to provide accommodation for the appellant's large family. However, planning permission runs with the land rather than with the applicant or appellant. Therefore, if the appeal were allowed, the resultant building would be a permanent and harmful feature within the street-scene which would provide inadequate amenity space for future occupants. I therefore give the personal circumstances of the appellant limited weight.
12. I also note the appellant's claim that she did not realise that the 2010 planning permission had expired. However, the Council says that an application for a similar scheme was withdrawn in 2015 so I am unconvinced by this argument. In any event, even if she did think the previous permission was extant, this

would not provide sufficient justification for me to allow a harmful development.

Conclusion

13. For the above reasons, I dismiss the appeal.

Siobhan Watson

INSPECTOR