

Appeal Decision

Site visit made on 17th July 2017

by Alison Roland BSc DipTP MRTPI

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

Decision date: 15 August 2017

Appeal Ref: APP/N4720/D/17/3176301

2 Parkside Gardens, Meanwood, Leeds, LS6 4JF.

- 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 Hayley Griffiths against the decision of Leeds City Council.
 - The application Ref: 17/00915/FU dated 13 February 2017, was refused by notice dated 25 April 2017.
 - The development proposed is single storey rear extension two storey side extension room in roof with hip to gable conversion within 12 months of planning consent 16/03331/FU.
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Procedural Matters

1. The description of the proposal cited in the header above is as cited in the planning application forms. I consider a more accurate description is that adopted by the Council in the Decision Notice namely: Two storey and single storey extension including gable wall extension to side with dormer window and Juliet balcony to rear; single storey rear extension.
2. The appellant submits that some of these elements benefit from the earlier approval under 16/03331/FU or from deemed permission under the terms of the Town and Country Planning (General Permitted Development) (England) Order 2015. Be that as it may, the development proposed is a composite whole and it is not appropriate to separate out the various elements as this would create ambiguity about the nature of the proposal. I shall therefore determine the appeal on the basis of the revised description.
3. The appeal was submitted in the name of Mr Antonio Martinez-Arboleda. Whilst, the right of appeal rests with the original applicant, the appellant subsequently confirmed that this individual was acting on her behalf.

Decision

4. The appeal is allowed and planning permission is granted for two storey and single storey extension including gable wall extension to side with dormer window and Juliet balcony to rear; single storey rear extension, at 2 Parkside Gardens, Meanwood, Leeds, LS6 4JF, in accordance with the terms of the application Ref: 17/00915/FU dated 13 February 2017, subject to the following conditions:
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- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan: Drwg No: 581/PA2 Sheet 5; Site Plan: Drwg No 581/PA2 Sheet 6; Proposal: Drwg No: 581/PA4 Sheets 1-4 Rev 28 02 2017.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no additional windows or other openings shall be formed in the flank (side) wall of the two storey side extension hereby approved without express planning permission.
- 4) The window in the ground floor side elevation of the two storey extension shall be fitted with obscure glass and permanently retained in that condition thereafter.

Main Issue

5. The main issue in this appeal is the implications of the proposal for the character and appearance of the area.

Reasons

6. The Council take no exception to the single storey rear extension and I have no reason to either. Having recently granted permission pursuant to application Ref: 16/03331/FU for a single and two storey side extension, their concern rests with the introduction of gable roofs to the host dwelling and proposed side extension, along with the rear dormer.
7. The appeal property forms one of a pair of semi detached dwellings with hipped roofs. Under normal circumstances, the introduction of a gabled roof (repeated in the proposed side extension) might be considered to appear odd and unbalance the pair of houses.
8. However, in this particular case the adjoining property has undertaken a dormer extension to the side of the roof which takes the form of a pitched roof over a gabled dormer intersecting with the original hip. As a substantial structure which projects out from the main ridge of the property, it significantly undermines the integrity of the original hipped roof. Moreover, in the immediate vicinity including along Parkside Gardens, there are houses which feature both gabled and hipped roofs to the extent that neither predominates. In these circumstances, I consider the proposed gabled roofs to both the host dwelling and proposed extension would not look out of place.
9. The rear dormer would be a substantial addition to the roof, but sited to the rear of the property it would not appear readily apparent from public vantage points and where it could be seen, it would be viewed against the backdrop of the substantial roof to the host dwelling, where it would not appear as an unduly dominant addition thereto. In coming to this view, I am mindful of a number of dormer additions to properties within the immediate vicinity of the appeal site (the closest examples cited in the appellant's statement), to the extent that they cannot be said to be an alien feature of the area.

10. For these reasons, I conclude on the main issue that the proposals would integrate comfortably with the host dwelling and wider character and appearance of the area. I thus find no conflict with Policy P10 of the Leeds Core Strategy (2014), Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) or the guidance in the Leeds Local Development Framework *Householder Design Guide* Supplementary Planning Document (2012). These seek to resolve detailed planning considerations including design and ensure that new development including alterations and extensions, respects both the scale and form of the original building and its wider setting.
11. The occupier of 105 Stonegate Road expresses concern that the proposals would overshadow Nos 103 and 105 Stonegate Road. However, having regard to the fact that permission has already been granted for a two storey extension in this position and the current proposal seeks a revision from a hipped to gabled roof, I consider the resultant additional impact in this regard would be minor. There is also some suggestion of a boundary dispute between the appellant and adjoining neighbours, but that is a civil matter which has no bearing on the planning merits of this appeal.
12. The appellant is aggrieved with the way in which the Council dealt with the application. However, that similarly is not a matter I can take into account in assessing the planning merits.
13. The Council suggest conditions in addition to the standard time limit for commencement of development. That confining the approval to the submitted plans is necessary for certainty. A condition requiring materials to match those of the host property is superfluous since matching materials were specified in the application forms and any material deviation therefrom would require further permission. Given the proximity of the side of the extension to the rear of No 101 Stonegate Road, I consider that conditions requiring the side facing window to be obscure glazed and prohibiting the insertion of further windows are both necessary to protect the living conditions of its occupiers. The main parties were canvassed in respect of the latter conditions and no objections were raised thereto.

ALISON ROLAND

INSPECTOR