



Appeal Decision

Site visit made on 15 July 2019 by C McDonagh BA (Hons), MA

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 July 2019

Appeal Ref: APP/N4720/D/19/3230481

3 Highwood Crescent, Moortown, Leeds, LS17 6ER

- 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 Eileen Storey against the decision of Leeds City Council.
 - The application Ref 19/01953/FU, dated 25 March 2019, was refused by notice dated 24 May 2019.
 - The development proposed is 2 storey side & single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues under consideration in this appeal are the effect of the proposed works on the character and appearance of the host dwelling and the streetscene, and the effects on living conditions of the occupiers of No.5 Highwood Crescent, with particular regard to outlook.

Reasons for the recommendation

Character and appearance of the host property and streetscene

4. The appeal site comprises a semi-detached dormer bungalow, with off-street parking and garage to the side. The property is located on Highwood Crescent, a cul-de-sac containing a mixture of dormer bungalows and two-storey semi-detached dwellings. Pairs of properties are well-spaced with the dormer bungalows situated closer to the road and the semi-detached houses orientated around the turning area at the end of the road. Buildings are separated by driveways which create a regular streetscene and contribute to a sense of openness.
5. The proposal involves the construction of an extension comprising two-storey side and single-storey rear elements, with the addition of an enlarged porch to the front elevation. The extension would be built flush to the ridge height and front elevation while also extending beyond the rear of the property.

6. The Council has drawn my attention to the Householder Design Guide Supplementary Planning Document (the SPD), which advises that two-storey side extensions should maintain a gap of 1 metre (m) from a shared boundary and 2m set-back from the front elevation as well as a set-down from the main ridge of the host roof.
7. The side extension has not been designed to be subordinate to the host building and does not include the set-down and set-back recommended by the SPD. Nevertheless, the extension would reflect the form and design details of the host building and I acknowledge that to set the extension down and back could result in a building of a somewhat unusual design. However, the extension would not allow the form of the original building to be read and would unbalance the appearance of the properties as a pair. Moreover, it would project almost up to the common boundary with No 5 significantly reducing the amount of space at the side of the building. As a result, there would be limited remaining space to off-set the mass of the building and consequently it would appear to dominate its plot.
8. In addition, and more significantly, the loss of space at the side of the property would also reduce the space between the adjoining pairs of properties which is a defining characteristic of the streetscene. Whilst I acknowledge that No 5 is set back from the appeal property, and therefore that the extension would not cause terracing, the reduction in space between the buildings would be significantly eroded.
9. This would be contrary to the guidance contained in the SPD and the principles of the National Planning Policy Framework (the Framework) which seeks high quality design, and at paragraph 127 states that decisions should ensure developments will function well and add to the overall quality of the area, while also being sympathetic to local character.
10. The appellant has drawn my attention to an example of an extension to a similar style of property locally. I have nothing substantive to view in terms of plans or specific details, but from the photograph submitted this appears to conform to the guidance of the SPD in that it is set back from the front elevation and set down from the ridge of the main roof while maintaining a discernible separation from the adjacent property. As such it is not directly comparable to the proposal before me which I have considered on its own merits.
11. For the above reasons I would therefore conclude that the proposal would have a harmful effect on the character and appearance of the host property and the streetscene, contrary to the design aims of Framework and guidance of the SPD. Consequently, the proposal would be contrary to policies P10 of the Leeds City Council Core Strategy (CS) and GP5 and BD6 of the Leeds Unitary Development Plan (review) (UDP), which seek to ensure, among other aims, the size, scale, design and layout of development is appropriate to its context and respects the character and quality of surrounding buildings and the streets and spaces that make up the public realm.
12. I acknowledge that there may be private benefits to expanding the house to accommodate additional living space to meet the specific needs of the family. However, these private benefits do not outweigh the harm that I have identified.

Living conditions

13. The SPD advises that proposals which negatively affect the living conditions of occupiers of neighbouring dwellings through overdominance, overshadowing or overlooking should be resisted. No objection has been raised by the Council regarding overshadowing or overlooking and, from all I have seen and read, I have no reason to disagree. In terms of overdominance, the guidance states that sufficient outlook should be maintained from windows facing an extension and sets out that 12m should be maintained between a habitable room window of one property and the side elevation of another.
14. No 5 is set back from No 3 and is also separated from it by the width of its own driveway. The only window directly facing the extension in question is a first-floor side window, which does not appear to serve a main room. Outlook towards the extension from the windows in the front elevation would be oblique and, given the distance between properties, the development would not appear overbearing from those windows.
15. Based on the above, I am satisfied that, in terms of the second main issue, the development would not significantly affect living conditions of the occupiers of No.5 through an overbearing impact. As such, in this respect, the development would accord with policies P10 of the CS and GP5 of the UDP which, among other aims, seek to maintain residential and general amenity of the area.

Recommendation

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

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR