



Appeal Decision

Site visit made on 1 June 2020 by Darren Ellis MPlan

Decision by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2020

Appeal Ref: APP/N4720/D/20/3248150

46 Nidd Approach, Wetherby, LS22 7UJ

- 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 J Miller against the decision of Leeds City Council.
 - The application Ref 19/05957/FU, dated 24 September 2019, was refused by notice dated 20 December 2019.
 - The development proposed is a two storey side 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 Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal property is a two-storey detached dwelling with a single storey side extension adjacent to No 44 Nidd Approach. The appellant advised that a single-storey side extension on the opposite side of the house would be constructed under permitted development, and during my site visit I saw that construction of this extension was underway. The proposed development would see the erection of a two-storey side extension adjacent to the boundary with No 48 Nidd Approach, which would add a first floor to the side extension currently under construction.
 5. The street is comprised of detached properties which, up to and including the appeal property, are built to a similar design. The properties from No 48 onwards have a different design but are similar in design to each other. The generally regular design of the original buildings gives a rhythm to the street scene which forms part of its character.
 6. Guidance in policy HDG1 of the Householder Design Guide (2012) (HDG) states that all extensions, additions and alterations and should respect the scale, form, proportions, character and appearance of the main dwelling and the locality. The HDG also states that the spaces between houses are important in
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defining the character and appearance of an area. This sense of space should therefore be retained. The HDG suggests that for semi-detached houses a gap of at least 1m should be maintained between a two-storey side extension and a boundary, and that an extension should be set back 2m from the front wall of the property. However, in general terms, it requires that two-storey side extensions should retain a sufficient distance to the side boundary and a sufficient set back from the main front wall of the house.

7. The dwellings in the street have varying amounts of separation to the adjacent properties, and many properties have single-storey side extensions and attached garages built along the boundaries. However, a gap is always present at the first-floor level which creates a moderate degree of spaciousness to the street scene and contributes to the pattern and rhythm of development. In this case, both single-storey side extensions are built almost up to the boundaries of the plot reducing the amount of space around the property. Moreover, the proposed two-storey extension would be built up to the boundary with No 48, with no gap between the extension and the boundary remaining at the first-floor level.
8. The introduction of built form at first floor level in this location would add substantial mass to the dwelling. That massing would be set only a limited distance back from the main front elevation of the dwelling and as such the apparent bulk of the building would be substantially increased. While a gap would remain between the proposed extension and the side elevation of No 48, the spaciousness around the appeal property would be eroded and as such the appeal property would appear cramped in its plot. Consequently, the proposal would detract from the character and appearance of the area.
9. I acknowledge that the ridge line of the extension would be set down from the main roof and that the extension would be finished in materials to match the existing property. However, this would not mitigate against the harm identified above.
10. For these reasons, I conclude that the proposal would conflict with Policy P10 of the of the Leeds City Council Core Strategy (2014), Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006), and the guidance in the HDG. These policies all seek, in various ways, for the size, scale and design of a development to be appropriate to its context and to respect the character and quality of the host property, and the surrounding area. The proposal would also conflict with the National Planning Policy Framework, which states that permission should be refused for development of poor design.

Other Matters

11. I note that the Council raises no objection to the scheme with regards to the effect of the proposal on the neighbouring properties. Given the siting of the proposed extension and the lack of windows in the side elevation I agree that the proposal would not cause harm to the living conditions of the occupiers of the neighbouring properties. However, this would not outweigh the harm that would be caused to the character and appearance of the area.

Conclusion and Recommendation

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

D Ellis

APPEAL PLANNING OFFICER

Inspector's Decision

13. 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