
Appeal Decision

Site visit made on 23 June 2020

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th June 2020

Appeal Ref: APP/N4720/D/20/3251721

83 Springbank Road, Gildersome, Morley LS27 7DL

- 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 Ms Kay Fletcher against the decision of Leeds City Council.
 - The application Ref: 19/07747/FU, dated 13 December 2019, was refused by notice dated 10 February 2020.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on (i) the character and appearance of the building and the area; and (ii) the living conditions of the occupiers of 65 Spring Avenue (No 65) by way of visual impact and outlook.

Reasons

Character and Appearance

3. The appeal property comprises a semi-detached house. It is located close to where Springbank Road meets Spring Avenue and the site contains a splayed side boundary that projects towards the corner of these 2 roads. The higher ground level of the property results in its existing side elevation being visible from the corner, as well as for some distance along Springbank Road to the east. The levels also give rise to the side elevation being of some size, as the ground floor level is set up noticeably from the side outside area of the site.
4. The design of the proposed extension would be in an awkward form, in particular as it would be viewed from the side. It would involve 2 storeys of raised accommodation, with much of the front wall flush to the existing front elevation of the house. To the rear, there would be a further elevated 2 storey section, set back and with a flat roof, and then a raised single storey element. When the resultant scale and massing of the proposed extension is considered with its design and form, it would constitute an unsympathetic addition to the house.
5. The levels of the site and the angled nature of the side boundary may have in a large part led to such a design. However, this does not alter that the proposed extension would be a discordant feature. As the appeal property already

- appears large due to its raised level, even with the site's dimensions, it would not be able to satisfactorily accommodate the proposed extension.
6. The area in the vicinity of the site exhibits a planned layout in relation to how the dwellings are viewed from the streetscene, including the semi-detached form of the appeal property, amongst a variety of dwelling types. The prominence of the site due to the levels and the proximity to the street corner would heighten that the proposed extension would appear conspicuous and not in keeping. With the level of visibility that would be afforded, this detrimental effect on the local character would not be lessened by the site's location at the midpoint junction of Springbank Road with Spring Avenue, rather than at either end of this road.
 7. The proposed extension would also not accord with the set-back distance from the front elevation of a semi-detached property that is set out in the Council's Householder Design Guide Supplementary Planning Document (2012) (SPD). Whilst this distance is not intended to be prescriptive and depends on the site circumstances, the distance in this case is not deemed to be sufficient. This is because the more limited set-back would contribute towards the incongruous appearance.
 8. I conclude that the proposal would have an unacceptable effect on the character and appearance of the building and the area. As such, it would not comply in this regard with Policy P10 of the Leeds City Council, Core Strategy (as amended by the Core Strategy Selective Review 2019) (Core Strategy) and with 'Saved' Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) (UDPR) which, collectively, expect development to provide a good design that is appropriate to its location, scale and function; resolve design as a detailed planning consideration; and respect the scale, form, detailing and materials of the original building, amongst other considerations.
 9. It would also not comply with Policy HDG1 of the SPD as it would not respect the scale, form, proportions, character and appearance of the main dwelling and the locality. In addition, it would not accord with the National Planning Policy Framework (Framework) where it concerns achieving well designed places.

Living Conditions

10. No 65 has been extended to the side and rear and this includes a door that faces towards the side boundary with the appeal site. The narrow area in between is used for gaining entry to the door and for outside access. Due to the ground levels, No 65 is set notably lower than the appeal property.
11. The visual impact from the proposed extension would be limited to the door and the space up to the boundary. With their functions of access and general circulation, the effects on the living conditions of the occupiers would be of a fleeting nature and so would not be over dominant and overbearing. Accordingly, that the proposed extension would be undoubtably visible due to its height, location and the ground levels would not render it unacceptable in this respect, when the use of the nearest areas of No 65 is considered.
12. I conclude that the proposal would not have an unacceptable effect on the living conditions of the occupiers of No 65 by way of visual impact and outlook. In this regard, it would comply with Saved Policy GP5 of the UDPR and Policy

P10 of the Core Strategy which are concerned with development protecting the residential amenity of the area and avoiding a loss of amenity, amongst other considerations.

13. It would also comply with Policy HDG2 of the SPD which states that all development proposals should protect the amenity of neighbours and that proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.

Other Matters

14. The proposed extension would be located well away from the nearest properties on Springbank Road and so it would not have an unacceptable effect on the living conditions of their occupiers. I am also not unsympathetic to the appellant's need for more space within the dwelling, although this is largely of a personal benefit. These matters do not outweigh the harm to character and appearance. Nor would the proposal comprise sustainable development for the purposes of the Framework because of its shortcomings as regards good design.

Conclusion

15. The harm that would arise to the character and appearance of the building and the area is decisive. For the reasons set out above and having regard to all matters that have been raised, the appeal should be dismissed.

Darren Hendley

INSPECTOR