



Appeal Decision

Site visit made on 9 June 2020

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th June 2020

Appeal Ref: APP/N4720/D/20/3244535

2 Jean Avenue, Halton, Leeds, West Yorkshire LS15 0HX

- 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 Edward Morris and Ms Emma Crosland against the decision of Leeds City Council.
 - The application Ref 19/04804/FU, dated 31 July 2019, was refused by notice dated 10 December 2019.
 - The development proposed is a two-storey side extension to side of semi-detached property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed extension on:
 - the character and appearance of the host dwelling and the surrounding area, with particular regard to scale, prominence and design; and
 - the living conditions of the occupants of No 4 Jean Avenue, with particular regard to overlooking and loss of privacy.

Reasons

Character and appearance

3. The appeal site is a two-storey, semi-detached dwelling on a triangular corner plot with wide front garden and narrowing side driveway, within a residential area characterised by varied designs and heights, strong building lines and generous front gardens. The effect of the proposal would be to erect a two-storey extension with a single-storey front corner that extends forward of the existing building line.
4. The existing front and side garden provide an open aspect to the street scene, despite the presence of a hedge, with both the existing front and side elevations of the host dwelling contributing positively to the street scene. The proposed two-storey extension is of greater depth than the existing dwelling, occupying a significant proportion of the side garden and, in doing so, the extension would be seen from the street as overlarge in comparison with the existing and adjacent properties. Furthermore, by projecting beyond the building line, the size of the proposal intrudes on the openness of the street scene and would disrupt the uniformity of the building frontages along Jean

Avenue, where the set-back from the public road forms a key characteristic of the street. Overall, I find that the proposal would be an overly large and prominent built form out of keeping with the street scene, despite its small set-back and lower ridge line.

5. The proposed design would break the existing symmetry between the host dwelling and its semi-detached pair. Whilst I noted a number of similar proposals within the immediate vicinity, these are set behind the building line, whereas in this case the dissymmetry is highlighted by the prominence of the proposal on the corner plot, notwithstanding the mature pavement trees to the front of the appeal site. Furthermore, the proposed chamfered rear projection would present an incongruous addition to the street scene, which would be out of keeping with the design of the host property and surrounding dwellings. Although I note that the appellant has previously reduced the size and set-back of the scheme, I am required to assess the proposal that is before me, and to do so on its merits.
6. I therefore conclude that the proposed extension would have a significant adverse effect on the character and appearance of the host property and surrounding area, with particular regard to scale, prominence and design, contrary to policy P10 of the Leeds Core Strategy (2019), saved policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006)(UDP), the Householder Design Guide Supplementary Planning Document (2012)(SPD), and paragraph 127 of the National Planning Policy Framework (the Framework). Together, these require that new development should be of good design appropriate to its location.

Living conditions

7. Whilst the proposed rear-facing French doors would be located closer to the boundary with No 4, they are at ground level only and would face directly out towards two mature conifer trees located within the garden of No 4. These trees would effectively obscure any view into that garden. Views towards the dwelling at No 4 from the proposed French doors would be of such an acute angle that any overlooking would be significantly restricted, and privacy would also be further protected by the height of the existing fence. Consequently, the proposed extension would not have a significant adverse effect on the living conditions of the occupants of 4 Jean Avenue, with particular regard to overlooking and loss of privacy. The proposal complies with saved policy GP5 of the UDP, the SPD, and paragraph 127 of the Framework, which together require that development proposals should not result in loss of amenity.

Conclusion

8. I have found that the proposed development would not have a detrimental effect on the living conditions of the occupants of the neighbouring property. However, this is outweighed by the harm caused to the character and appearance of the host dwelling and surrounding area. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Patrick Hanna

INSPECTOR