



Appeal Decision

Site visit made on 28 July 2020

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2020

Appeal Ref: APP/N4720/D/20/3252540

7 Southlands Avenue, Rawdon, Leeds, LS19 6JN

- 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 Elliot McKendrick against the decision of Leeds City Council.
 - The application Ref: 19/05308/FU, dated 24 August 2019, was refused by notice dated 22 January 2020.
 - The development proposed is: Alterations involving laying out of parking to front, two storey side extension, single storey extension and raised patio with steps to rear.
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Decision

1. The appeal is dismissed in so far as it relates to the two storey side extension. The appeal is allowed in so far as it relates to laying out of parking to front, single storey extension and raised patio with steps to rear, and planning permission is granted for laying out of parking to front, single storey extension and raised patio with steps to rear at 7 Southlands Avenue, Rawdon, Leeds, LS19 6JN in accordance with the terms of the application, Ref: 19/05308/FU, dated 24 August 2019, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 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; Existing Aerial Site Plan, Existing Front Elevation; Existing Side Elevation; Existing rear Elevation; Existing Floor Plan; Proposed Aerial Site Plan (In so far as it relates to the rear extension, raised patio and front parking area); Proposed Side Elevation (In so far as it relates to the rear extension); Proposed Rear Elevation (In so far as it relates to the rear extension and raised patio); and Proposed Floor Plan (In so far as it relates to the rear extension).
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on the Proposed Side Elevation drawing (In so far as it relates to the rear extension) and the Proposed Rear Elevation drawing (In so far as it relates to the rear extension and raised patio).

Procedural matter

2. The description used by the Council on the Decision Notice describes the proposed development as 'Alterations involving laying out of parking to front,

two storey side extension, single storey extension and raised patio with steps to rear'. This accurately sets out the development proposed and is more succinct than the lengthier description on the planning application form. The appellant has used a similar abbreviated description on the appeal form. As the Council's description is accurate and covers the relevant aspects of the proposals, I have used this for the purposes of the appeal.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal building is one half of a pair of semi-detached houses located in a small enclave of residential development on the outskirts of Rawdon. It is part of a group of predominantly semi-detached houses of a broadly similar design, sited along Southlands Avenue, Knott Lane and New York Lane. These are constructed in red brick, with some rendered elements and have paired, centrally located, bay windows. Tiled, hipped, roofs are used on all of the semi-detached properties. A single detached house is present on Southlands Avenue which, although different in design, is of a similar age to the adjacent houses and shares a common approach in terms of the roof form and the use of materials and projecting bay and oriel windows to articulate the façade. Three modern, detached, houses have been added at the west end of the group on New York Lane, adjacent to the earlier semi-detached pairs. These have a different design approach with gabled frontages facing the street.
5. There are two principal elements to the proposal, a two storey, flat roofed, side extension and a single storey, flat roofed, rear extension.
6. The Leeds City Council Householder Design Guide Supplementary Planning Document 2012 (the SPD), which is to be read alongside the more general design policies in the Leeds Core Strategy 2014 (the Core Strategy) and Leeds Unitary Development Plan 2006 (the UDP), sets out various requirements for extensions to houses. The SPD expects two storey side extensions to be set back 2 metres from the front wall of the original house and to retain at least a 1 metre gap to the common boundary with a neighbouring property. It also seeks to ensure that extensions respect the scale, form, proportions and appearance of the original house with particular attention paid to the roof form and roofline, window detail, architectural features, and materials.
7. The proposed side extension would be 2 metres wide and would be the same depth as the original house. Whilst the width of the extension would not be such that it would overwhelm the existing house and it would retain a gap of 1.2 metres between the extension and the side boundary, it would not be set back from the front elevation of the property and would be contiguous with the front wall. There would be two windows in the front elevation of the proposed extension. The submitted drawings are annotated that these windows would match the style of the windows in the existing house. Although appropriate details such as the pattern of the glazing bars in the windows could be achieved through the use of a planning condition, the windows and openings are square, which would be inconsistent with the rectangular windows in the original house and would reflect neither the horizontal nor vertical emphasis

- that these have. Additionally, the window heads would not align with those of the existing house.
8. The introduction of a further window shape and the inconsistent alignment of these new windows with the those of the existing house, would result in a muddled and poorly arranged façade. This would be exacerbated by the proposed flat roof and the finishing of the new extension in a white render which would stand out against the adjacent brickwork. Consequently, the proposed side extension would not integrate well with the original house. This effect on the appearance of the appeal building would be harmful to the character and appearance of the street which, despite some alterations to other houses, largely retains a uniform and consistent appearance. The proposed side extension would therefore not comply with the relevant requirements of Core Strategy Policies P10 and P12, Saved Policy BD6 of the UDP and the SPD which, when read together, expect new development to be of a high standard of design that has regard to both its context and to the design and materials of the original house.
 9. My attention has been drawn to several flat roofed side extensions elsewhere in the street and I saw these when I visited the site. I do not have any information regarding the circumstances that led to these extensions being accepted or the policy requirements at that time. However, the Council advise that these extensions pre-date the advice in Householder Design Guide. From my observations at the site visit, I have no reason to doubt that this is the case. This notwithstanding, I saw that many of these extensions were set back from the main front wall of the house and thus less prominent in the street scene and more subservient in relation to the main house.
 10. I did see that there is a large two storey, flat roofed extension, at number 19 Southlands Avenue, which is also rendered. Nonetheless, the design approach taken with this extension is clearly a modern interpretation of the Art Deco influences of the main house. The windows have a vertical emphasis, and there is a curved ground floor element that echoes the curved bay windows at the front of the property. In addition, this house is located at the end of the street and the extension is not seen adjacent to a neighbouring house. I also noted the first floor extension at number 1 Southlands Avenue, which is supported on piers over an open car port below giving it a very different appearance to the appeal proposals. I do not consider that the examples that have been drawn to my attention are analogous to the appeal proposal and these do not warrant granting permission for the proposed side extension.
 11. The appeal proposals also include a single storey, flat roofed, rear extension across the whole width of the property, which would replace an existing smaller, flat roofed, single storey rear addition to the house. This extension would not project beyond a similar extension on the adjoining semi-detached property and would not be readily visible from the public domain. The Council have not raised any concerns regarding this rear extension and I nothing that I have read or seen gives me reason to find otherwise.
 12. The Council have not raised any objections to the proposed demolition of the existing garage/outbuilding or the replacement of the current parking areas at the front of the house which are mix of tarmac and gravel surfaces with block paving. I would agree that the demolition of this small ancillary building and the provision of block paving to the frontage are very minor alterations which

would not have any harmful effect on the character and appearance of the area.

13. Drawing these strands together, I conclude that the proposed side extension would cause harm to the character and appearance of the area and would conflict with the relevant requirements of Policies P10 and P12 of the Core Strategy, UDP Policy BD6, and the SPD. Saved Policy GP5 of the UDP, which is cited on the decision notice, is a very general and wide ranging policy. Whilst it refers to design amongst many other considerations, I do not consider that it is directly relevant to the proposals that are the subject of this appeal.
14. I also find that the other elements of the proposed development would not cause harm to the character and appearance of the area and would comply the relevant policies in the development plan, set out above, and the requirements of the SPD.

Other matters

15. The appeal building is located within the Green Belt. In the Green Belt, the National Planning Policy Framework sets out that the construction of new buildings is inappropriate development with the exception, amongst others, of the extension or alteration of a building that does not result in disproportionate additions over and above the size of the original building.
16. The SPD sets out that within the Green Belt, as a guide, extensions amounting to a 30% increase over and above the original house volume are considered acceptable. The Council calculate the increase in volume that would result from the appeal proposals as approximately 31% and I note that the Council consider that this is only marginally above the guidance in the SPD. Having regard to what is shown on the submitted plans and to the size of the existing house, I would concur with the Council's conclusion that the appeal proposal would not be inappropriate development in the Green Belt and would not conflict with the purposes for which the Green Belt was designated.
17. The appeal building is also located within an area designated as a Special Landscape Area. As the proposed extensions are to a building within an existing group of buildings and would not be readily visible from the surrounding countryside, there would be no effect on the Special Landscape Area. However, neither of these two points would lead me to a different conclusion in respect of the harm that the proposed side extension would cause to the character and appearance of the area.
18. From the submitted drawings and from what I saw when I visited the site, the proposed extensions would not adversely affect the living conditions of adjoining occupiers. I am also satisfied that the appeal proposal makes suitable arrangements for car parking and safe access to the highway.
19. I have noted that the appellant has states that a proposed ground floor shower room was included in the side extension to meet the special needs of the occupiers. However, no further information was submitted in respect of this point and, consequently, I can give little weight to it.

Conditions

20. I have had regard to the conditions that have been suggested by the Council. In order to provide certainty regarding what has been granted planning

permission, I have attached a condition specifying the approved drawings and setting out the extent to which they are relevant. The proposed materials are specified on the submitted drawings and there is nothing in the evidence that would suggest that a rendered finish to the rear elevation would be inappropriate. In the interests of clarity, I have attached a condition requiring that the facing materials used are those specified on the approved drawings.

Conclusions

21. I have found that the proposed two storey side extension would cause harm to the character and appearance of the area and would conflict with the relevant requirements of policies in the development plan and the Council's Householder Design guidance. However, I have also found that the remaining parts of the proposal would not cause any harm.
22. The two built elements of the proposal, the two storey side extension and the single storey rear extension, are clearly physically separate and functionally severable, although I accept that if the side extension was not built this would also preclude carrying out the proposed internal alterations on the first floor. Consequently, it is open to me to allow the appeal in respect of one element of it and dismiss the appeal in respect of the other element.
23. For the above reasons, I therefore conclude that the appeal should be dismissed insofar as it relates to the erection of a two storey side extension, and that the appeal should be allowed insofar as it relates to the erection of a single storey rear extension and the provision of a block paved parking area.

John Dowsett

INSPECTOR