The Planning Inspectorate

Appeal Decision

Site Visit made on 28 January 2021

by A M Nilsson BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 February 2021

Appeal Ref: APP/N4720/D/20/3263036
10 Oak Street, Pudsey LS28 7JY

- 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 Karon Bickers against the decision of Leeds City Council.
- The application Ref 20/04833/FU, dated 5 August 2020, was refused by notice dated 7 October 2020.
- The development proposed is a part two storey, part single storey side/rear extension.

Decision

1. The appeal is allowed and planning permission is granted for a part two storey, part single storey side/rear extension at 10 Oak Street, Pudsey, LS28 7JY in accordance with the terms of the application, Ref 20/04833/FU, dated 5 August 2020, 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: Block Plan 1:200 Rev A; Drawing Sheet 1 of 3 20/040 Rev B; Drawing Sheet 2 of 3 20/040 Rev C; Drawing Sheet 3 of 3 20/040 Rev A.

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal property is a two-storey end of terrace property. The terrace onto which it is located comprises three properties of similar design and size. It is located within a predominantly residential area where there is a wide range of properties styles and sizes.

4. There is an existing gap between the appeal property and the neighbouring dwelling, 8 Oak Street, where the extension is proposed to be located. There is also a small strip of land that appears to be outside both the appeal site and 8 Oak Street that would remain undeveloped.

5. The Council comment that the two-storey element of the scheme would have no undue visual harm to the street-scene. I have no reason to form a different view.

6. In their reason for refusal, the Council specifically refer to the impact of the proposed front projection and the proposed ground floor openings. The single storey forward projecting element of the extension would project around 1.5m forward of the main body of the dwelling. There is also a similar feature on the dwelling at the other end of the terrace which appears to project further forwards than the appeal proposal. I accept, as the Council have highlighted, that this feature to 14 Oak Street is located towards the end of the street and is not in conjunction with a first floor extension, however it does nevertheless form part of the terrace onto which the development subject to the appeal is proposed.

7. Taking into account the extent of the forward projection in the appeal proposal, its overall size and scale, when coupled together with a similar feature to an existing dwelling on the terrace, I do not consider that this element would cause unreasonable harm. I accept, as the Council have referred, the presence of the existing forward projection at 14 Oak Street does not set a precedent to allow any further harm. Whilst I have acknowledged its presence in my assessment, I have determined the appeal on its own individual merits.

8. The Council have also referred to the head of the garage door being located at a lower level than the front door and main front window. This appears to be largely as a result of the raised floor level of the dwelling. I appreciate that it would typically be desirable to achieve some form of alignment between openings, however despite an increase in massing than otherwise would have occurred on a level site, I do not consider that unreasonable harm is caused. The proposed front elevation, incorporating steps to the front door, provides an obvious visual explanation for the arrangement that is proposed, and I do not consider that the size, scale or design of the proposal would dominate the property or cause harm.

9. I therefore conclude that the proposed development would not cause harm to the character and appearance of the host dwelling and the surrounding area. It would comply with Policy P10 of the Leeds Core Strategy (2014) and saved Policies GP5 and BD6 of the Leeds Unitary Development Plan (2006). These policies seek, amongst other things, to promote good design and ensure the size, scale, design and layout of development is appropriate to its context and respects the character and quality of surrounding buildings.

10. The proposal would also comply with guidance contained in Policy HDG1 of the Leeds Householder Design Guide Supplementary Planning Document (2012). This guidance outlines that extensions, additions and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and the locality.

11. The proposal would also comply with the National Planning Policy Framework (2019) which outlines that permission should be refused for development of poor design that fails to take the opportunities available to improve the character and quality of an area, taking into account any local design standards or supplementary planning documents.

Conditions

12. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the area and the host property, it is necessary to impose a planning condition requiring the use of matching materials.

Conclusion

13. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR