
Appeal Decision

Site visit made on 5 February 2021

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2021

Appeal Ref: APP/N4720/D/20/3264660

15 Pondfields Close, Kippax LS25 7HN

- 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 Julie Vallance against the decision of Leeds City Council.
 - The application Ref 20/04978/FU, dated 6 August 2020, was refused by notice dated 13 October 2020.
 - The development proposed is single storey front porch extension to provide downstairs shower facilities.
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Decision

1. The appeal is allowed and planning permission is granted for single storey front porch extension to provide downstairs shower facilities at 15 Pondfields Close, Kippax LS25 7HN in accordance with the terms of the application, Ref 20/04978/FU, dated 6 August 2020, and the plans submitted with it, 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: Site Location Plan, and Proposed Elevations and Floor Plan (2A of 2).
 - 3) The external surfaces of the development hereby permitted shall be constructed in materials to match the existing building.

Main Issue

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

Reasons

3. The appeal property is a two-storey detached dwelling, located within a street of similarly designed properties. Although broadly uniform in appearance, many of the dwellings on the street have front extensions, of which there are differing sizes and designs. The effect of the proposal would be to provide an extension of similar size and design to other extensions within Pondfields Close.
4. A previous appeal¹ for a much larger extension across the entire width of the appeal property was dismissed in 2018. However, the current proposal is now reduced in width such that it occupies just half of the building frontage. Consequently, the prominence of the proposal is now correspondingly reduced

¹ Appeal decision APP/N4720/D/18/3197499

and, despite the elevated position of this eastern side of the street, the proposal would be seen in the wider context of similarly designed front extensions.

5. On the opposite side of the street to the appeal site, all but one of the dwellings has a front extension. Many of these appear to be of similar size and design to the current proposal. Whilst that side of the street is at a lower level than the road and the appeal site, the front extensions are plainly visible and now form part of the prevailing character and appearance of the street scene. On the same side of the street, there are three front extensions, one of which appears to be of similar size and design to the proposal.
6. The Council suggest that the width of the extension should be reduced further. The precise dimensions of the other front extensions in the street are not available to me for direct comparison. Nonetheless, I find that, in visual terms, the proposal would not appear to be so much larger than a number of the existing extensions that it would appear materially different to those.
7. Despite the front garden of the appeal site being smaller than others on the street, the prevalence of front extensions is such that the proposal would read visually as being just one more amongst many, rather than a dominant or incongruous feature in the street scene, even though the proposal would be closer to the street than other extensions.
8. I conclude that the proposal would not have an unacceptable effect on the character and appearance of the host dwelling and the surrounding area. As such, the proposal complies with policy P10 of the Leeds Core Strategy (2019), saved policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006), general principle HDG1 of the Leeds Householder Design Guide (2012), and the National Planning Policy Framework. The proposal also complies with policy BE1 of the Kippax Neighbourhood Plan (2018). Together these policies require that development should be well designed, appropriate to its location, scale and function, and respect the scale, form, detailing and materials of the original building.

Conclusion and conditions

9. For the reasons set out above the appeal should be allowed and planning permission granted subject to conditions.
10. A condition requiring compliance with plans is necessary in the interests of certainty, and a materials condition is required to safeguard the character and appearance of the area. The suggested condition to restrict the future use of permitted development rights in order to prevent overlooking does not meet the tests of reasonableness or necessity, given that the proposal relates principally to the public road where passive overlooking is an inherent feature.

Patrick Hanna

INSPECTOR