



Appeal Decision

Site visit made on 12 January 2022

by M Clowes BA (hons) MCD PGCERT (arch con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2022

Appeal Ref: APP/N4720/D/21/3287423

6 Flexbury Avenue, Morley LS27 0RG

- 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 Janis Ingleby-Delube against the decision of Leeds City Council.
 - The application Ref 21/05533/FU, dated 18 June 2021, was refused by notice dated 13 September 2021.
 - The development proposed is described as 'single storey front extension.'
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the description of the proposal from the Council's decision notice as it more succinctly defines the proposed development. Although the planning application form refers to the re-roofing of a rear conservatory, the plans do not include this development. Whilst an amended plan was submitted to the Council during the processing of the application, the decision notice indicates that the proposal was determined on the basis of the original drawings, reference number J121-02-01. I have determined the appeal accordingly.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area, including the host dwelling.

Reasons

4. The appeal site consists of a 2 storey dwelling located in a residential area. Surrounding dwellings are a mixture of detached and terraced houses or bungalows built of brick or artificial stone. They are simply detailed with a bay window forming the main architectural feature on all of the differing house types. This results in a simple, consistent character to the area.
5. The main 2 storey part of the dwelling has a compact and narrow frontage with a square ground floor bay window and lean-to canopy roof above, extending over the front door. Set back to the north-west, there is a single storey structure providing additional living accommodation and a garage. The front door is raised above ground level and accessed via 3 external steps. It is proposed to add a front extension to form a porch over the external door. It would have a tiled hipped roof with elevations of half stone and half UPVC framed windows.

6. The Council have referred me to the Household Design Guide Supplementary Planning Document (SPD, 2012) which sets out detailed guidance on extensions to existing dwellings. HDG1 seeks to ensure extensions respect the form, proportions and character of the host property with particular regard to window details, architectural features and materials. With specific regard to porches, the SPD advises that they should be unobtrusive and sympathetically designed so as not to overwhelm the building.
7. The front extension would lie adjacent to the bay window with no discernible gap between the two, resulting in a cluttered form of development. This would diminish the contribution the bay window makes to the dwelling. It would contrast negatively with the generally plain, simply detailed elevations of the host dwelling and its neighbours. The raised height above ground level and forward projection would increase its incongruity with its surroundings. The excessive use of glazing for the upper half of the porch would also fail to reflect the general extent of glazing to the host dwelling. Due to its reflective quality, the glazing would be neither transparent nor lightweight. It would instead be detailed with multiple glazing bars. Likewise, the introduction of a hipped roof would contrast with the existing roof forms within the street scene. The form, position and detailed design of the proposed extension would therefore fail to complement the host dwelling and would harm the character and appearance of the street scene.
8. The appellant considers that there is a fallback position, of the erection of a porch without planning permission. The Council have confirmed that permitted development (PD) rights for front extensions have been removed in order to maintain the character of the area and I have no evidence before me to disprove this. Conditions removing PD rights are not automatically removed as a result of changes to the associated legislation, nor does the removal of PD rights expire after a particular period of time. In this instance, there is no prospect of a similar development coming forward as permitted development. It does not therefore represent a realistic fallback position to be afforded any weight.
9. My attention has been drawn to a planning approval for a front extension at 1 Flexbury Avenue. There was no evidence from my site visit that this development has been carried out. Nevertheless, No 1 is a different house type with a much wider front elevation. Therefore, the cases are not directly comparable. In any event, I must consider the appeal scheme on its own merits.
10. I conclude that the front extension would have a harmful effect upon the character and appearance of the area and the host dwelling. It therefore conflicts with Policy P10 of the Leeds City Council amended Core Strategy (2019) and saved Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006) which seek to ensure that new development is of a high quality that reflects the character and distinctiveness of the building and the area. This is an objective shared with HDG1 of the SPD (2012) which specifically seeks to ensure extensions respect the scale, form and proportions of a dwelling and its locality. It is also contrary to the National Planning Policy Framework, which amongst other things, requires that developments are of a high-quality design and sympathetic to local character.

Conclusion

11. For the above reasons, having regard to the development plan as a whole and all other relevant considerations, the appeal is dismissed.

M Clowes

INSPECTOR