



Appeal Decision

Site visit made on 18 January 2022

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 February 2022

Appeal Ref: APP/N4720/D/21/3283662

7 Haigh Moor Road, Tingley, Wakefield WF3 1ED

- 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 S Nazir against the decision of Leeds City Council.
 - The application Ref 21/03934/FU, dated 17 April 2021, was refused by notice dated 3 September 2021.
 - The development proposed is 2 storey side and rear extensions, front single storey and rear garage with gym/play room over.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The plan of the proposed development contains two front elevations which show two storey side extensions of different widths. I have determined the appeal on the basis of the proposed front elevation which shows the wider two storey side extension, as this drawing most closely corresponds with what is shown on the proposed ground and first floor plans.

Main Issues

3. The main issues are the effect of the proposed side, rear and front extensions on (i) the character and appearance of the host dwelling, the pair of semi-detached dwellings and the surrounding area and (ii) the living conditions of the occupiers of 7b and 9 Haigh Moor Road.

Reasons

Character and appearance

4. The appeal property is a semi-detached dwelling which sits within a row of similarly proportioned dwellings. Although there are variations in the design and overall appearance of the pairs of semis, there is a relative uniformity in their separation from one another, their heights and widths and in terms of their positioning in relation to the public highway. These factors contribute positively to the character and appearance of this part of Haigh Moor Road, and they create a pleasant rhythm and consistency within the street scene.
5. The proposed two storey side extension would have a substantial width and massing in relation to the existing dwelling. Furthermore, there would be no notable setback from the existing front elevation to reduce the visual impact that would arise. Overall, it would fail to achieve a subordinate appearance in relation to the existing dwelling, which is an aim set out within the Householder

Design Guide 2012 (HDG). It would, as a result of this and due to its general scale and massing, visually dominate both the host dwelling and the pair of semi-detached dwellings of which it is part, causing significant harm to their character and appearance.

6. The separation distance between the appeal property and 7b Haigh Moor Road would also be substantially eroded, with the proposed two storey side extension extending to the common boundary. This impact would be compounded if No 7b itself sought to extend in a similar manner. The loss of the separation between the properties and its replacement with a visually dominant extension would be at odds with the prevailing character and appearance of the street scene, in particular in terms of the relationship between dwellings. This would lead to significant harm to the character and appearance of the area.
7. The proposed single storey front extension would be modest in size. There is variation in the appearance of the front elevations of the dwellings in the vicinity of the site and the addition of this particular extension and the loss of the current bay windows to the appeal dwelling would not cause harm in this context. No elevational details have been provided with respect to the proposed two storey rear extension, and therefore it is not possible to accurately assess the impact that would arise from this element of the proposals. However, any absence of harm from the front and rear extensions would not address the other harm I have identified.
8. For these reasons, I conclude that the proposed two storey side extension would cause significant harm to the character and appearance of the host dwelling, the pair of semi-detached dwellings and the surrounding area. It would therefore fail to accord with Policy P10 of the Core Strategy 2019 (CS) and Saved Policies GP5 and BD6 of the Leeds Unitary Development Plan 2006 (UDP), where they seek to safeguard character and appearance. There would also be a conflict with the HDG in the same respect, and with The National Planning Policy Framework (The Framework) where it aims to deliver well-designed places.

Living conditions

9. The proposed two storey side extension would run along the side elevation of the appeal dwelling, but it would also extend out partially beyond the line of its original rear elevation. Whilst this would place it alongside not only the side elevation of No 7b but also along part of the area to its rear, this adjacent property has a garage that is under construction next to the boundary. Due to this, the proposed two storey side extension and its rear projection would not result in harm to the living conditions of the occupiers of No 7b through a loss of light or outlook, or due to its massing.
10. The proposed single storey front extension would project only a limited distance from the existing elevation. The nearest ground floor window on No 9 is large and would not be unduly affected by this part of the proposal. As noted above, there are no elevational drawings provided with respect to the proposed rear two storey extension, but its projection from the existing rear elevation at the point closest to the common boundary with No 9 is not substantial in length. Accordingly, notwithstanding the absence of precise details of the elevations, it appears unlikely that the two storey rear extension would cause

harm to the living conditions of the occupiers of No 9 by reason of its massing or because of a loss of light or outlook.

11. I therefore conclude that the proposed extensions to the dwelling would not cause harm to the living conditions of the occupiers of Nos 7b and 9. Consequently, the proposal would accord with Saved Policies GP5 and BD5 of the UDP where they seek to protect living conditions. There would also be no conflict with the aims of the HDG or The Framework in the same respect.

Other Matters

12. Reference has been made to the provision of critical care however this is described as a long term issue, with future care from home being described only as a probability. The main reason set out for the proposed extensions is that they are required to provide additional floorspace for the appellant and their children. Whilst I am sympathetic to the desire to provide this living accommodation, this consideration does not outweigh the significant harm that I have found would arise to character and appearance.
13. The submission also questions the status of the UDP and the HDG due to their ages. However, the relevant policies in both documents have an overarching aim to ensure that new development achieves an acceptable design and does not cause harm to character and appearance. For the purposes of determining this appeal, they are in these respects consistent with the aims of the more recent Framework.
14. The appellant draws attention to the fact that extensions have taken place to other dwellings in the locality. I must however make my determination of the appeal upon the merits of the proposal that is before me and the impacts that would arise from it.

Conclusion

15. Whilst I have not found harm to living conditions, I have found significant harm to character and appearance and a subsequent conflict with the development plan. For this reason, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR