



Appeal Decision

Site visit made on 24 January 2022

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2022

Appeal Ref: APP/N4720/D/21/3287615
26 Selby Road, Garforth, Leeds LS25 1LS

- 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 Sean Thackery against the decision of Leeds City Council.
 - The application Ref 21/05139/FU, dated 9 June 2021, was refused by notice dated 12 November 2021.
 - The development proposed is two-storey side and rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for two-storey side and rear extension at 26 Selby Road, Garforth, Leeds LS25 1LS, in accordance with the terms of the application Ref 21/05139/FU, dated 9 June 2021, 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: (LS) LP 01; (LS) SL 02; (LS) PD 04; (LS) PD 05; (LS) PD 06; (LS) PD 07; (LS) PD 08; (LS) PD 09.

Main Issue

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

Reasons

3. The proposals, when considered as a whole, would undoubtedly represent substantial additions to the original two-storey detached dwelling. Nonetheless, the extensions have been designed with a generous set-back from the front elevation, and a corresponding lower ridge line. This, in combination with the dual-gable form of the flank elevation, would achieve an appropriate degree of subservience to the host dwelling, consistent with the design advice in the Council's 'Householder Design Guide' Supplementary Planning Document (2012) (the SPD).
4. Furthermore, it is significant that the separation gap to No 28 is considerably greater than the gaps between other properties in the row. Thus, even though the two-storey side extension would be situated less than 1 metre from the side boundary, adequate space would still be retained between the buildings and no terracing effect would occur. Consequently, despite some conflict with the SPD in terms of the distance to the side boundary, I am satisfied that the gap to No 28 would not be harmfully eroded and that the established character of the street scene would be maintained. In coming to this view, I have also

had regard to the presence of other two-storey side extensions in the row, which I was able to see at my site visit.

5. There is some variety in building materials within the row with both brick and render being used. As both of the adjoining dwellings are rendered, and the plans indicate that the existing dwelling is also to be rendered as part of the renovations, there would be no harm arising from the choice of a rendered finish to the proposed extensions. The contrasting brick plinth would be a very small feature and barely visible from the road. In any case, I fail to see how the grey bricks proposed would not harmonise with the render finish above and the wider street scene.
6. Overall, I find that the proposal would be sympathetic to the character and appearance of the host property and would not be harmful to the Selby Road street scene.
7. I therefore conclude that the development would not be harmful to the character and appearance of the surrounding area, and as a result, complies with the broad design principles of Policy P10 of the Leeds City Council Core Strategy (as amended by the Core Strategy Selective Review 2019), saved Policies GP5 and BD6 of the Leeds City Council Unitary Development Plan (Review 2006), and policy HDG1 of the SPD. Amongst other things, these require development, including extensions, to be well designed, and to respect the scale, form and features of the original building and the character of its surroundings.

Conditions

8. The conditions suggested by the Council have been assessed against the guidance contained in the National Planning Policy Framework and Planning Practice Guidance. In particular, I have had regard to the Government's intention that planning conditions should be kept to a minimum, and I have imposed only those conditions which meet the relevant tests.
9. The standard commencement and approved plans conditions are imposed for certainty. However, a condition relating to external materials is not necessary as these are specified on the plans and are acceptable. A condition removing permitted development rights (PDR) for windows in the side elevation is not reasonable or necessary given the internal accommodation layout, and the PDR provisions that already control insertion of any high level windows that would be the most likely to have privacy implications.

Conclusion

10. For the reasons given, I conclude that the appeal should succeed.

A Caines

INSPECTOR