



Appeal Decision

Site visit made on 1 February 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2022

Appeal Ref: APP/N4720/D/21/3284611

92 Moseley Wood Gardens, Cookridge, Leeds LS16 7HU

- 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 and Mrs J Kelly against the decision of Leeds City Council.
 - The application Ref 21/04599/FU, dated 22 May 2021, was refused by notice dated 27 August 2021.
 - The development proposed is extension and other associated alterations to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. Moseley Wood Gardens is predominantly characterised by two-storey semi-detached dwellings which are generally of a comparable width and similarly spaced within their plots. Two-storey front bay features are a common feature in the street. The remaining parts of front elevations often include parts which are set back from these bays and inset from the forwardmost part of the flank elevation wall. Indeed, whilst the dwelling at No 92 has front projecting single storey elements, its front elevation incorporates a bay and a first-floor inset. Where two-storey or first-floor side extensions have taken place in the area, their design is usually visually subservient to their host. These factors combine to give consistency to the street scene and form part of a pleasant suburban residential character.
4. The front elevation of the first-floor extension would not provide a 2.0m set back in line with the guidance in the Leeds City Council Householder Design Guide (2012) (the HDG). Instead, it would sit roughly level with the front of the existing bayed projection and also forward of the adjacent inset section to the first-floor front elevation. The ridge of the proposal would be only marginally lower than the main roofline. As a result, when viewed from street level, the first-floor side extension would not appear subservient and would disrupt the rhythm of the host dwelling's front elevation. It would also appear at odds with the general uniformity of similar dwellings in the street scene.
5. My attention has been drawn to an extension that has taken place at No 69 Moseley Wood Gardens which sits roughly opposite the site. In that instance

the extension does not appear visually subservient to its host. However, the evidence before me indicates that particular extension was granted planning permission prior to the adoption of the HDG. In any case, I have considered the appeal proposal on its own merits and this example does not persuade me that the proposal would positively respond to the prevailing characteristics of the area.

6. I conclude, the development would result in significant harm to the character and appearance of the area. In that regard, it would conflict with the design and context requirements of Policy P10 (Design) of the Leeds City Council Core Strategy (as amended) (2019). For the same reasons, it would also conflict with Policy HDG1 (Design and appearance) of the HDG.

Other Matters

7. The appellant contends that the extension has been designed so as to enable them to incorporate an internal staircase to provide loft access. However, the staircase in question would be set back into the extension and away from its front elevation. Therefore, it is questionable whether the appeal proposal would be the only way to incorporate this staircase. Either way, this matter does not justify the harm identified to the character and appearance of the host dwelling and the street scene.

Conclusion

8. The proposal would result in significant harm the character and appearance of the area and in that regard would conflict with the development plan when taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

M Russell

INSPECTOR