



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: 16th February 2022

Appeal Ref: APP/N4720/D/21/3284490

3 Northfield Avenue, Wetherby LS22 6TD

- 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 Dave Kay against the decision of Leeds City Council.
 - The application Ref 21/04794/FU, dated 27 May 2021, was refused by notice dated 19 July 2021.
 - The development proposed is described as 'Single rear and front and two-storey side extensions'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - (i) The character and appearance of the area; and
 - (ii) The living conditions of occupiers of neighbouring occupiers with particular regard to outlook and light.

Reasons

Character and appearance

3. Northfield Avenue is predominantly characterised by two-storey semi-detached dwellings. The housing on Northfield Avenue and the neighbouring Northfield Place are more often set back within their plots, of a comparable width, incorporate hipped roof forms and are similarly set in from shared boundaries. There is also repetition in terms of the mainly linear front elevational treatment to these dwellings, the size of window and door openings and the rendered facing materials. Where extensions have been undertaken, these are usually set back from front elevations. The dwelling at No 3 Northfield Avenue reflects these common characteristics and forms part of a generally consistent street scene with a pleasant suburban residential character.
4. Due to its width being less than two-thirds of the main house, its ridge being set down from the main roofline and its matching materials, the development would accord with some of the guidance in the Leeds City Council Householder Design Guide (2012) (the HDG). However, the front extension would project forward of and extend across the principal elevation of the dwelling. This would combine with the side extension to wrap around the front corner of the host dwelling. In combination with the marginal set back of the first-floor front elevation of the side extension, the form and layout of the proposal would

reduce legibility of the dwelling's original form. Consequently, the proposals would read as a dominant addition which would significantly detract from the uniformity of the street scene.

5. I am dealing with another appeal at the adjoining semi-detached dwelling at No 1 Northfield Avenue¹. Even if No 1 was extended to the side and front, this does not persuade me that the proposal at No 3 would positively respond to the design of the host dwelling or the prevailing character and appearance of the wider street scene.
6. The appellant has drawn my attention to instances where built form projects forward of the front elevations of dwellings in the area. However, the garage at No 10 Northfield Avenue is a detached outbuilding and the porch canopy at No 9 Northfield Avenue is a lightweight structure which is modest in scale. Neither detract from the overall common proportions and detailing seen to the front elevations of dwellings in the surrounding street scene. The appellant also suggests that taken on its own the porch would be comparable to the size of a porch which could be erected under permitted development rights. However, the proposed porch would not be seen on its own, instead forming part of the larger extensions before me and is therefore not comparable.
7. 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) (the CS) and Saved Policies GP5 and BD6 of the Leeds City Council Unitary Development Plan Volume 1: Written Statement (2006) (the UDP). For the same reasons, it would also conflict with the overall objectives of Policy HDG1 (Design and appearance) of the HDG.

Living conditions of neighbouring occupiers

8. At approximately 4.0 metres (m) in depth, the proposed single storey rear extension would be deeper than the suggested 3.0m for single storey extensions adjacent to a common boundary as set out in the sub-text of Policy HDG2 of the HDG. During my site visit, I noted that the dwelling at No 1 Northfield Avenue has a ground floor window to its rear elevation which sits close to the shared boundary with the appeal site.
9. Notwithstanding the above, No 1 has a larger rear garden than other dwellings to this side of Northfield Avenue. This provides a generous open aspect to the rear of this property. The single storey extension would also have a mono-pitched roof which would reduce in height as it projects further along the boundary. Taking these factors into account, I am satisfied that the proposal would not result in any harmful enclosing impact nor any material loss of light for occupiers of this neighbouring dwelling.
10. Given the above, whether or not the occupants of No 1 have a desire to erect a similar rear extension has not been material to me finding that there would not be any material harm to the living conditions of this neighbour.
11. The two-storey side extension would sit roughly parallel with the side elevation of No 5 Northfield Avenue. Towards the rear of the side elevation of No 5, there are windows facing the appeal site. However, the side elevation of No 5 is set away from the common boundary between these two properties. The proposed

¹ Appeal Ref APP/N4720/D/21/3284489

side extension would also be set in from this boundary. Due to the space retained and the alignment of the neighbouring windows towards the rear, a suitably open aspect would be retained. Therefore, even though the distance between the development and these neighbouring windows would be less than the minimum 12.0m set out in the guidance in the HDG, I am satisfied that suitable levels of outlook would be retained for occupiers of No 5.

12. I conclude, the development would have an acceptable effect on the living conditions of occupiers of Nos 1 and 5 Northfield Avenue with particular regard to outlook and light. In that regard it would comply with the amenity requirements of Policy P10 of the CS and saved Policy GP5 of the UDP.

Conclusion

13. In accordance with the requirements of s38(6) of the Planning and Compulsory Purchase Act (2004), the appeal must be determined in accordance with the development plan unless material considerations indicate otherwise.
14. I have found that the proposal would have an acceptable effect on the living conditions of neighbouring occupiers.
15. However, 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