



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/21/3284489

1 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 Joe Milner against the decision of Leeds City Council.
 - The application Ref 21/04889/FU, dated 27 May 2021, was refused by notice dated 28 July 2021.
 - The development proposed is described as 'Single front, rear 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 No 3 Northfield Avenue with particular regard to outlook and light.

Reasons

Character and appearance

3. Northfield Avenue is predominantly characterised by two-storey semi-detached dwellings. Northfield Mews to the east of the site is an individually designed block of flats. However, there is general consistency to the design and form of the houses on Northfield Avenue which are mainly 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 treatment of front elevations to dwellings in the street in terms of the size of window and door openings, the rendered facing materials and the limited instances of forward projecting elements. The dwelling at No 1 Northfield Avenue reflects these shared characteristics and together with the other dwellings forms part of a generally consistent street scene which makes for a pleasant suburban residential character.
4. The two-storey side extension would only be marginally set back from the front elevation of the dwelling and in combination with the single storey extensions would compete with the width of the host dwelling. The single storey extension would also project forward of the host dwelling and would incorporate a large integral double garage door opening. As a result, the scale and design of the extensions would have a dominating impact and would not positively respond

to the form or architecture of the host dwelling. This would also significantly detract from the cohesiveness of the surrounding built environment.

5. The proposed rear terrace would be set back within the plot. There is also a substantial area of mature screen planting towards the boundaries of the appeal site with Northfield Mews and Sandringham Park. Consequently, this particular aspect of the scheme would not be prominent from public vantage points and so would not add to the harm identified. Even though this differs from the Council's conclusion in respect of the rear terrace, this does not overcome my overall design concerns.
6. I am dealing with another appeal at the adjoining semi-detached dwelling at No 3 Northfield Avenue¹. Even if No 3 was extended to the side and front, this does not persuade me that the proposal at No 1 would positively respond to the design of the host dwelling or the prevailing character and appearance of the wider street scene.
7. My attention has been drawn to extensions at Nos 9 and 10 Northfield Avenue. The extension at No 10 is set back from the front elevation with no forward projecting elements and replicates the common elevational treatment seen in the area. With regards to the porch canopy at No 9 Northfield Avenue, this is a modest lightweight structure. Therefore, the additions at Nos 9 and 10 are not comparable to the proposals before me.
8. Even though the existing detached garage at No 1 also projects forward of the front elevation of the dwelling, it is not comparable to the appearance of the taller and bulkier extensions which would be attached to the dwelling. Any porch erected under permitted development rights at No 10 would not be of a similar scale or appearance to the combined extensions before me and I therefore attach only limited weight to this matter as a material consideration.
9. 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 Policy HDG1 (Design and appearance) of the Leeds City Council Householder Design Guide (2012) (the HDG).

Living conditions of No 3 Northfield Avenue

10. The text under Policy HDG2 of the HDG suggests that as a general rule of thumb single storey extensions can project 3.0 metres (m) next to a common boundary and that this allows for sufficient levels of light and outlook from neighbouring windows. The evidence before me indicates that the single storey rear extension would have a depth of approximately 4.0m adjacent to the common boundary with No 3 Northfield Avenue and therefore would not comply with the guidance in the HDG.
11. Notwithstanding the above, having regard to the single storey height of the extension which would reduce as it projects away from the rear elevation, the extent to which the nearest ground floor window at No 3 is set away from the common boundary and that a predominantly open aspect would be retained to

¹ Appeal Ref APP/N4720/D/21/3284490

the rear of No 3 by virtue of its long rear garden, I am satisfied that the proposal would not be materially harmful to means of outlook or light in this particular instance. Therefore, whether or not the occupants of No 3 have a desire to erect a similar rear extension has not been material to me finding that there would be no material harm to neighbouring living conditions in this instance.

12. I conclude, the development would have an acceptable effect on the living conditions of occupiers of No 3 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