



Appeal Decision

Site visit made on 3 February 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 February 2022

Appeal Ref: APP/N4720/D/21/3289849

56 Springfield Road, Morley LS27 9PN

- 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 Plamen Kolev against the decision of Leeds City Council.
 - The application Ref 21/05937, dated 6 July 2021, was refused by notice dated 8 October 2021.
 - The development proposed is a two storey side and rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is a two-storey end of terrace dwelling. It is situated on a terrace of four properties where each end property has a hipped roof. It is located in a predominantly residential area where there is a wide range of property styles and sizes. Many of the surrounding properties have been extended or altered, including the appeal property which has an existing single storey rear extension.
4. The Council's reason for refusal relates to the first-floor rear extension. No objection is raised to the two-storey side extension, or the single storey element of the rear extension. I have no reason to form a different view.
5. The proposed first floor rear extension would incorporate a hipped roof and a 'Juliet' style balcony. Although it would not be visible from the Springfield Road street-scene, it would be clearly visible from within Springfield Mews that sits to the rear of the site, and visible, albeit from longer range views, from Springfield Avenue at the entrance to Springfield Mews.
6. Due to its design, incorporating a hipped roof, set against the gable roof of the side extension, the proposed first floor extension would not relate well and jar with the remainder of the property. Its siting also does not relate well with the remainder of the property, appearing randomly positioned with little reference to the siting of any of the remainder of the property. Its scale and width would also result in it dominating the rear of the property.
7. I therefore find that the proposed first floor extension would result in an alien and incongruous form of development. It would be highly visible from public

vantage points within Springfield Mews and to a lesser extend from Springfield Avenue.

8. Therefore, the proposed development would cause significant harm to the character and appearance of the host property and the surrounding area. It would be contrary to Policy P10 of the Leeds Core Strategy (2014 Amended 2019) and saved Policies GP5 and BD6 of the Leeds Unitary Development Plan (2006). These policies seek, amongst other things, to promote good design and ensure the size, scale, design and layout of development is appropriate to its context and respects the character and quality of surrounding buildings.
9. The proposed development would also be contrary to guidance contained in Policy HDG1 of the Leeds Householder Design Guide (HDG) Supplementary Planning Document (2012). This guidance outlines that extensions, additions and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and the locality.
10. The proposed development would also be contrary to the National Planning Policy Framework (the Framework) (2021) which outlines that development should be visually attractive and that development that is not well designed should be refused.

Other Matters

11. The appellant has drawn my attention to a recent planning permission¹ and a certificate of lawful development² to carry out extensions to the appeal property. I have been provided with copies of the relevant decision notices and plans. The appellant's suggestion is that a combination of both schemes would result in a similar development to that of the appeal proposal.
12. Although the approved two-storey side extension and single storey rear extension are very similar to those elements of the appeal proposal, the first-floor rear extension is markedly different, with that of the appeal proposal being of a different design and greater scale and width. It is also not been demonstrated that both consents are capable of being implemented in conjunction with one another.
13. Therefore, whilst I acknowledge the fallback, for the reasons set out, it is not the same as the development before me, and thus it is of limited weight. It does not provide the necessary justification for allowing the harm to be caused that I have identified.

Conclusion

1. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
2. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR

¹ 20/05849/FU

² 21/08620/CLP