



Appeal Decision

Site visit made on 10 February 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2022

Appeal Ref: APP/N4720/D/22/3291036
19 Morritt Grove, Halton, Leeds LS15 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 S Wragg against the decision of Leeds City Council.
 - The application Ref 21/04197/FU, dated 11 May 2021, was refused by notice dated 9 November 2021.
 - The development proposed is a first-floor extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on 1) the character and appearance of the host property and the surrounding area, and 2) the living conditions of the occupants of 21 Morritt Grove with specific regard to outlook and sunlight.

Reasons

Character and appearance

3. The appeal property is a two-storey semi-detached dwelling with roof level accommodation. It is located on a cul-de-sac of similar semi-detached residential properties, many of which have been extended or altered. The property has an existing single-storey extension to the side and rear and a hip-to-gable roof extension.
4. The proposed development involves the addition of a first-floor extension on top of the existing extension, save for a small triangular section close to the boundary with the adjoining property, 21 Morritt Grove.
5. The appeal property is prominently located at the head of the cul-de-sac and is clearly visible when approaching the head of the cul-de-sac. Although the property has an existing single storey side extension, which is partly visible from the street-scene, the proposed extension would dramatically increase the scale of the extension such that it would appear incongruous and overly dominant.
6. The flat roof design of the extension would result in an inharmonious and uncomfortable arrangement with the remainder of the host property, which from the street-scene elevation has a distinct pitched roof. The flat roof would be notably out of character with the roof forms of the surrounding area to the extent that it would represent poor design and appear wholly inappropriate.

7. The fenestration of the first floor fails to reflect the siting and proportion of windows in the host dwelling. It would create a significant amount of blank space that would contribute to the overall poor design of the extension.
8. Although the appellant has proposed to use materials to match those of the host dwelling, this is a relatively standard requirement of extensions such as this and does not serve to overcome the harm I have identified.
9. The proposed development would therefore 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.
10. 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.
11. 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.

Living conditions

12. The rear element of the proposed extension would, for the most part, be sited on top of the existing single storey rear extension. It would be set in from the splayed boundary with the adjoining dwelling, 21 Morritt Grove, leaving a triangular shaped gap with the boundary.
13. The adjoining property has an existing single storey rear extension that extends approximately half the distance from the property as the existing extension to the appeal property. The rear extension to the adjoining property, and the first-floor rear elevation of the property contain habitable room windows.
14. Due to its overall size, scale and siting, the proposed extension projecting some 5.6m from the rear of the existing property, at first floor level, would appear dominant and imposing. It would be highly noticeable from the rear windows of the adjoining property and its garden. For these reasons it would cause significant harm to the outlook from this property.
15. Due to the orientation of the properties, with the appeal property and the site of the proposed extension being to the south of the adjoining property, the overall height and projection of the extension would be likely to result in a significant reduction in the amount of sunlight to the adjoining property and its garden.
16. The appellant has referred to the fact that there are no side windows in the proposed extension, that the existing first-floor window in the appeal property will be decreased in size and there are no changes to the existing dormer windows. Such factors, however, are not pertinent to my assessment in

relation to outlook from, and sunlight to, the adjoining property. Such matters are likely to be of relevance in considering matters of privacy, which is not an issue in the appeal. The absence of harm to privacy is a neutral factor in the balance.

17. The proposed development would therefore have an unacceptable impact on the living conditions of the occupants of 21 Morritt Grove. It would be contrary to Policy P10 of the Leeds Core Strategy (2014 Amended 2019) and saved Policy GP5 of the Leeds Unitary Development Plan (2006). These policies require, amongst other things, that development protects and avoids loss of residential amenity.
18. The proposal would also be contrary to Policy HDG2 of the Leeds Householder Design Guide Supplementary Planning Document (2012) which outlines that development proposals should protect the amenity of neighbours and proposals which harm the existing residential amenity of neighbours through overdominance or overlooking will be strongly resisted.

Conclusion

19. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict
20. 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