



Appeal Decision

Site visit made on 28 April 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 May 2022

Appeal Ref: APP/N4720/D/22/3294253

6 Hall Park Garth, Horsforth, Leeds LS18 5LT

- 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 & Mrs Darren and Donna Dodsworth against the decision of Leeds City Council.
 - The application Ref 21/09508/FU, dated 22 November 2021, was refused by notice dated 26 January 2022.
 - The development proposed is a two storey side 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 area.

Reasons

3. The appeal property is a two-storey linked detached dwelling. It is located on a cul-de-sac of residential properties where when travelling towards the head of the cul-de-sac, it is the last in a row of 5 similar properties. These properties are notable for their gable fronted and elongated main bodies, with flat roofed garages to the side. Save for an extension over approximately half of the garage to no. 4, these properties are distinguished by the spaciousness that is created by the open space over the garages. Collectively, these features positively contribute to the character and appearance of the street-scene.
4. The proposed extension would be built over the flat roof garage. Due to its overall design, size and scale, the proposed extension would erode the pleasant degree of spacious rhythm that currently exists in this row of properties. It would upset the visual balance that currently exists, with the resulting dwelling appearing overly dominant and incongruous in the street-scene.
5. I acknowledge that no. 4 has been extended over the garage, however this is a very different design and scale to the proposal before me. It also incorporates a significant set-back, the effect of which means that it is not largely discernible from sections of the street.
6. Reference is made by parties to the gap that would be maintained between the appeal property and no. 7. In this case, I find this specific matter to be of less significance than the impact of the overall size and scale of the extension. As I observed, where similar properties have been extended, although these appear

to have been over roughly half of the garage and thus maintaining an appreciable set-back, they have nevertheless not maintained any pronounced gap at the side. Given that no.7 does not form part of the row of 5 properties, and has a splayed boundary with the appeal property, I am less convinced that this factor itself causes unreasonable harm.

7. Although the proposed extension would incorporate a set back from the main frontage and drop from the ridge of the main roof, I do not consider that these factors adequately address the harm I have identified. The argument that it would be subordinate to the main dwelling is also weakened by the fact that it would be wider than the main body of the dwelling, conflicting with the Householder Design Guide.
8. The appellant has referred me to extensions to properties in the area. Although I have not been provided with any specific details or examples, I acknowledge that many properties have been extended or altered. On my site visit I did not, however, observe any that were the same as the proposed development to the same type of property. I observed, on Hall Park Avenue, where there are similar properties to the appeal property most had not been extended over the garage, and thus retained the positive spaciousness. Those that had been extended were not of the same scale or design as the appeal proposal.
9. It is suggested that the current proposal could set a precedent for similar developments to the surrounding properties of the same style that would erode these features to the detriment of the character of the area. It could also lead to the impression of the terracing of the front elevation of adjoining properties and the erosion of the areas spaciousness and character.
10. Whilst each application and appeal must be treated on its individual merits, allowing the appeal could be used in support of such similar schemes. I consider that this is not a generalised fear of precedent, but a realistic and specific concern given the shared characteristics with similar properties in the area. Allowing this appeal would make it more difficult to resist further planning applications for similar developments, and I consider that their cumulative effect would contribute to an overall harm to the wider area which I have described above.
11. The proposed development would therefore cause significant harm to the character and appearance of the 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.
12. The Council's reason for refusal refers to the proposed development being contrary to Policy P12 of the Core Strategy. This policy concerns townscape and landscape and I do not find it to be pertinent to the main issue.
13. 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.

14. 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.

Conclusion

15. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
16. 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