



Appeal Decision

Site visit made on 27 June 2022

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2022

Appeal Ref: APP/N4720/D/22/3295308

12 Garton Road, Richmond Hill, Leeds LS9 9NH

- 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 Scott Wiseman against the decision of Leeds City Council.
 - The application Ref 21/10309/FU, dated 23 December 2021, was refused by notice dated 4 March 2022.
 - The development proposed is garage demolition and double storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on highway safety with specific reference to parking, visibility and the free flow of traffic.

Reasons

Character and appearance

3. The appeal property is a semi-detached, two storey dwelling constructed of brick with a hipped roof. The property has a private yard to the front and rear and a detached garage to the side. The property lies within a residential street comprised of four pairs of semi-detached properties of similar design. The wider area is characterised by a mix of semi-detached and terraced properties.
4. The regular rhythm of Garton Road is emphasised by the pattern of properties being set back from the road, behind small front gardens bound by low walls, and hipped roofs with central chimneys. Whilst there are garages to the side, there is a characteristic gap between each pair of semi-detached properties at first floor which enables views through to the rear gardens creating a sense of openness and contributing to the local distinctiveness of the area. The gap also enables a visual distinction between the semi-detached and terraced properties.
5. It is proposed to erect a two-storey side extension which would be set back around 500mm from the front elevation of the original dwelling, set down from the existing ridge line, and set off the shared boundary by around 230mm. Whilst there would be some set down from the ridge and set back from the front elevation, this would be minimal. Consequently, the extension would not be sufficiently distinct from the host property and would fail to appear subservient. Indeed, in my view, the proposal would erode the symmetry of the pair of semi-detached properties due to the insufficient set back from the front and set down from the ridge.

6. Furthermore, the proposed extension would almost abut the shared boundary with number 14 Garton Road (No.14) completely filling the space to the side of the host property. No.14 has a ground floor extension to the side and so a gap would be retained at first floor level with the appeal property. Nevertheless, the proposal would result in the narrowing of the gap and, due to the proximity almost up to the boundary, the resultant dwelling would look cramped and excessive in its plot. Consequently, the proposal would harm the character and appearance of the area.
7. For the reasons stated, I conclude that the proposal would harm the character and appearance of the area. It would, therefore, be contrary to Policy P10 of the Council's Core Strategy (CS) (amended 2019), saved Policy GP5 of the Unitary Development Plan Review (UDP) (2006) and Policy HDG1 of the Council's Householder Design Guide (HDG) (2012) which collectively seek to ensure that new development, alterations and extensions are of a good design which reflects the scale, form, detailing and materials of the original building and the local distinctiveness of the area.

Highway safety

8. The HDG requires that residential dwellings should be able to provide two off-street parking spaces. The dimensions of each space should be 3m in width and 5m in depth. The appeal proposal includes the demolition of the existing garage in order to accommodate additional living space.
9. The appeal property is a three-bedroom dwelling with a single garage and a driveway to the front. The rear yard is too small to accommodate a car and Back Garton Terrace is too narrow to park safely. Both the driveway to the front and the garage are below the dimensions required by the HDG for a parking space. Consequently, the property does not have any on-site parking provision at present which meets the HDG requirements.
10. The proposal would provide 3 bedrooms, as existing, and an office. The dimensions of the office are below that set out in the Technical housing standards – nationally described space standard (2015) for a bedroom. Furthermore, a condition could have been applied requiring that the office is used only as an office and for no other purpose had I decided to allow the appeal. Consequently, the proposal would not increase the demand for car parking and would, therefore, not cause harm to highway safety.
11. For the reasons stated, I conclude that the proposal would not cause harm to highway safety with reference to parking, visibility and the free flow of traffic. No conflict would, therefore, arise with Policy P10 of the CS or saved Policy GP5 of the UDP which together seek to ensure that proposals are accessible to all users and resolve detailed planning considerations, including, amongst other things, access and avoid highway congestion.

Conclusion

12. Whilst I have found that there would not be harm to highway safety, this is a neutral factor in this decision. I have identified significant harm to the character and appearance of the area and conflict with the development plan. There are no material considerations which indicate a decision other than in accordance with the development plan. For the reasons stated and taking all other considerations into account, the appeal should be dismissed.

Caroline Mulloy

Inspector