
Appeal Decision

Site visit made on 1 August 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th August 2022

Appeal Ref: APP/N4720/D/22/3298988
6 Clayton Avenue, Kippax, Leeds LS25 7PN

- 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 Gary Mountain against the decision of Leeds City Council.
 - The application Ref 21/07418/FU, dated 3 September 2021, was refused by notice dated 29 March 2022.
 - The development proposed is single storey extension to side.
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Decision

1. The appeal is allowed. Planning permission is granted for a single storey extension to side at 6 Clayton Avenue, Kippax, Leeds LS25 7PN in accordance with the terms of the application Ref 21/07418/FU, dated 3 September 2021 subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: RM001-01 REV 1 & RM001-02 REV 1.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used on the existing dwelling.

Procedural Matter

2. Both the description on the application form and Council decision notice are inaccurate in that the proposal appears to relate to a side, rather than a front extension. I have considered the proposal on this basis.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal relates to the provision of a single storey extension to the side of the existing dwelling that would be in the form of a flat roofed (inc. lantern roof feature), sunroom which would incorporate glazed windows and bi-fold doors which would allow views out towards the enclosed side and front garden.
5. Although the evidence indicates that the dwelling has previously been extended to the side, the extension proposed would be very modest in size and scale and

by reason of its limited height it would sit well below the pitched roof on the dwelling and previous extension. It would therefore represent a subordinate addition to the host building.

6. It is likely that the extension could be glimpsed from some points mainly higher up on the sloping Clayton Avenue and the essentially flat roof design differs from the roof design on the main dwelling.
7. However, close range views would be very limited. This would be as a result of the robust boundary treatment in the form of closed boarded timber fencing with supplementary planting which forms the boundary of the property with Clayton Avenue.
8. Further, the conservatory style appearance which would utilise materials to match those used on the existing dwelling would not be out of place within such a domestic garden setting within a suburban residential area.
9. The proposal would not therefore form a visually dominant, out of keeping or harmful addition to the host building. There would subsequently be no adverse impact on the character or appearance of the area.
10. The proposal would therefore accord with Policy P10 of the Core Strategy Selective Review (2019) and policies GP5 and BD6 of the Leeds Unitary Development Plan (2006) which amongst other things require well designed development appropriate to its context and extensions which respect the scale, form, detailing and materials of the original building.
11. There would also be no conflict with HDG1 of the Householder Design Guide¹, which requires amongst other things that all extensions should respect the scale, form, proportions character and appearance of the main dwelling and locality.

Conditions

12. Planning permission is granted subject to the standard three-year time limit. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. A condition requiring matching materials is necessary in the interests of the character and appearance of the area.

Conclusion

13. Taking all relevant matters into account, the proposal accords with the development plan and there is no indication that a decision should be made other than in accordance with it. The appeal is therefore allowed.

T J Burnham

INSPECTOR

¹ Leeds City Council Householder Design Guide Leeds Local Development Framework SPD 2012.