



Appeal Decision

Site visit made on 15 February 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2023

Appeal Ref: APP/N4720/D/22/3307362

12 Ambleside Walk, Wetherby, Leeds LS22 6DP

- 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 Bennett against the decision of Leeds City Council.
- The application Ref 22/04722/FU, dated 6 July 2022, was refused by notice dated 31 August 2022.
- The development proposed is single storey side and rear extension.

Decision

1. The appeal is allowed, and planning permission is granted for single storey side and rear extension at 12 Ambleside Walk, Wetherby, Leeds LS22 6DP in accordance with the terms of the application, Ref 22/04722/FU, dated 6 July 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan and Drawing Nos: 990 02 01; and 990 02 02.
 - 3) The materials to be used in the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effects of the proposals on the character and appearance of the surrounding area.

Reasons

3. The appeal property is a detached two-storey dwelling located within a residential cul-de-sac. The Council's reason for refusal refers to the side extension only, and it has found no harm with the rear extension. Given its location to the rear, low profile, small footprint, and matching materials, I also consider it would be an appropriate addition that would not harm the character or appearance of the area.
4. The proposed side extension would project off an existing single storey extension. This would result in a property of considerable length, greater than two thirds of the width of the main house. This element would be at odds with the detailed guidance within the Council's Householder Design Guide (HDG). However, the side extension would be set back from the front façade behind an existing wall and gate. Moreover, due to the location of the property in the corner of the cul-de-sac, and orientation to the neighbouring property (No 10),

the single storey extension would not have a strong presence in the street scene.

5. Instead, the two-storey core of the dwelling would remain the dominant feature. Moreover, given the proposed side extension's low height, positioning, and orientation of the appeal property and No 10, there would still be a perceptible open gap between the buildings above the roof slope. In this regard, the spatial qualities of the street would not be harmed.
6. The proposals would utilise matching materials. Moreover, the modest depth to the side extension, combined with its low height and positioning set back from the front façade, would ensure that it appears subordinate to the host dwelling. A good-sized rear garden would remain, and the proposals would not be an overdevelopment of the plot.
7. I therefore conclude that the proposals would not have a harmful effect on the character and appearance of the surrounding area. As such, I find no conflict with the requirements of Policy P10 of the Council's Core Strategy, Policies GP5 and BD6 of the Council's Unitary Development Plan and the provisions of the National Planning Policy Framework when taken together. Moreover, although the existing and proposed side extension would be more than two thirds of the width of the main house, given my findings on the main issue, I find no conflict with the objectives of Policy HDG1 of the HDG. These say, amongst other things, that all extensions, additions, and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and the locality.
8. Matters relating to landownership are private legal matters and not matters for my consideration. The proposed plans stipulate a 1m gap between the proposed side extension and the boundary with No 10, and I have no reason to consider that the development could not be built to accord with the proposed plans in this regard.
9. Given the single storey height of both the rear and side extensions and the orientation of windows, there would not be any unacceptable effects on the living conditions of the occupiers of neighbouring properties, including with regards to privacy, light, outlook, noise, and disturbance. I have reached this conclusion recognising that the extensions would be near the boundaries of the respective neighbouring properties and having regard to the ground levels.
10. I note that the appeal scheme is a resubmission of a scheme previously refused by the Council. However, that is not a matter for my consideration, and I have determined the appeal on its own merits.
11. In addition to the standard implementation condition (1), a condition (2) is necessary to ensure the development is carried out in accordance with the plans submitted with the application. A condition (3) to ensure that the materials match those used on the building is necessary in the interests of the visual amenity of the area.
12. For the above reasons, the appeal is allowed subject to conditions.

Mr R Walker

INSPECTOR