



Appeal Decision

Site visit made on 27 June 2023

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2023

Appeal Ref: APP/N4720/D/23/3318018

11 Austhorpe Avenue, Austhorpe, Leeds LS15 8QA

- 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 Rick Shone against the decision of Leeds City Council.
 - The application Ref 23/00037/FU, dated 24 December 2022, was refused by notice dated 28 February 2023.
 - The development proposed is a 2 storey extension to the side.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development given on the application form refers only to a two storey extension to the side, however the plans submitted show that the proposal would incorporate both single storey and two storey elements. I have made my assessment of the appeal on that basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the area.

Reasons

4. Austhorpe Avenue is a residential road along which dwellings are arranged in a linear fashion. The appeal dwelling is sited back from both the road and its side boundary, which is a positioning consistent with the layout of other dwellings on the road. This contributes positively to a feeling of spaciousness along the road and in turn helps to define the overall character and appearance of the area. Notwithstanding that single and/or two storey side extensions are now present to some other properties, the area retains a spacious and pleasant feel.
5. The Council's Householder Design Guide Supplementary Planning Document 2012 (SPD) states that in a street of regular, semi-detached dwellings a two storey extension should be set back 2 metres from the front elevation of the existing dwelling. This is to ensure subserviency, to prevent terracing and to avoid an awkward join of new and old materials. The SPD also states that at least a 1 metre gap should be retained between a proposed two storey extension and the side boundary, which in conjunction with the setback aims to avoid important gaps in the street being eroded.
6. The SPD is less prescriptive with respect to single storey extensions, seeking only an appropriate design, appropriate materials and access being maintained

to the rear of the dwelling. There is no dispute between the parties that the latter two requirements would be met.

7. The two storey part of the proposed development would be built considerably more than 1 metre from the side boundary. It would incorporate a set back from the front elevation of the existing dwelling of 0.9 metres, which would ensure that there would not be an awkward join of new and old materials and would result in the proposal having a lower ridge line than the existing dwelling. This, together with the visual set back that would be achieved and the modest width in comparison to that of the existing dwelling, would mean that an appropriate level of subserviency would be achieved. Taken alone, the proposed two storey side extension would be of an acceptable design and by virtue of its generous separation from the side boundary would not harmfully erode the regular rhythm of gaps within the street scene.
8. However, when considered with the proposed single storey extension, the spaciousness to the side of the appeal dwelling would be considerably reduced, and this would be harmful to the character and appearance of the street scene. In particular, the single storey extension would have a bulky roof which along with its front elevation would erode the gap that would otherwise exist between the proposed two storey side extension and the side boundary. The design matters to which the Council refer, relating to the bulk of the roof of the proposed single storey extension and to the positioning of the rightmost window are also features that would appear incongruous in relation to the existing dwelling and in relation to the proposed two storey element of the development. This would add to the harm caused.
9. The appellant refers to other extensions that have already taken place on Austhorpe Avenue, but this is to support their case with respect to the setback of the two storey element and I have found in their favour on that point. I do not consider that any of the examples to which my attention has been drawn justify the permitting of the appeal proposal as a whole, given the harm that I have found would result from it.
10. For these reasons, I conclude that the proposed development taken as a whole would cause significant harm to the character and appearance of the host dwelling and the area. Consequently, it would fail to accord with Policy P10 of the Core Strategy 2019 and Saved Policies GP5 and BD6 of the Unitary Development Plan Review 2006, where they seek to protect character and appearance. There would also be a conflict with the aims of the SPD in the same respect, and with the National Planning Policy Framework where it seeks to achieve well-designed places.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR