



Appeal Decisions

Site visit made on 27 February 2024

by **Andrew McCormack BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 March 2024

Appeal A Ref: APP/N4720/D/23/3332762

31 Templegate Close, Halton, Leeds LS15 0PJ

- 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 Ullah against the decision of Leeds City Council.
 - The application Ref 23/05204/FU, dated 23 August 2023, was refused by notice dated 9 October 2023.
 - The development proposed is two storey extension to front and side.
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Appeal B Ref: APP/N4720/D/24/3336746

31 Templegate Close, Halton, Leeds LS15 0PJ

- 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 Ullah against the decision of Leeds City Council.
 - The application Ref 23/06365/FU, dated 19 October 2023, was refused by notice dated 14 December 2023.
 - The development proposed is part two storey, part single storey extension to front and side.
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Decision

Appeal A Ref: APP/N4720/D/23/3332762

1. The Appeal is dismissed.

Appeal B Ref: APP/N4720/D/24/3336746

2. The Appeal is dismissed.

Procedural Matters

3. As set out above, there are two appeals on this site. They differ only in that the proposed first floor extension in Appeal B would be set back further from the existing ground floor front elevation of the dwelling whereas the proposal in Appeal A would have a first-floor extension in line with the ground floor front elevation. I have considered and determined each proposal on its individual merits. However, to avoid duplication I have dealt with the two schemes together, except where otherwise stated.
4. In relation to Appeal B, the description of the proposed development is taken from the Decision Notice rather than the application form as it describes more accurately the proposal which differs slightly from that relating to Appeal A.
5. Since the determination of these applications, a revised National Planning Policy Framework (the Framework) was published on 19 December 2023. I have therefore determined these appeals in accordance with that recently revised document. However, it

is not considered that the revised Framework results in any substantive changes to any of its relevant policies that relate to, or impact upon, the determination of these appeals.

Main Issue

6. The main issue is the same for Appeal A and Appeal B and is the effect of the proposal on the character and appearance of the appeal property and the surrounding area.

Reasons

7. The appeal property is a two-storey detached dwelling, constructed in brick with a pitched roof, central ridgeline and symmetrical gable ends. From the public highway, the right-hand gable end appears as a two-storey extension to the original property. There is a mono-pitched front projection with a first-floor flat roof dormer window and a flat roof garage with a canopy which extends across the front elevation of the property to the left-hand side.
8. The property is positioned on a corner plot and set back from the public highway with car parking space on a driveway to the front of the plot. There is a private garden to the rear. To the west are two similarly sized houses (Nos. 27 & 29 Templegate Close) and adjacent to the east is a field with a nearby bowling green. The locality is predominantly residential in character and the design of the appeal dwelling is typical of the two-storey housing on the street. However, the prevailing house type on Templeton Close is dual-pitched roofed bungalows which are of a similar 1960s period to the two-storey houses.
9. Properties in the locality, including the appeal dwelling, are set back behind front gardens that are either open or set behind low boundary walls. The two-storey houses have been designed to ensure space is retained to the side through use of single-storey garages and recessed two-storey elements. The resulting sense of space at first-floor level and the separation of the larger two-storey dwellings is an important feature of the spatial character of the locality. As a result, this characteristic contributes significantly to a sense of openness that is particularly important within the surrounding housing estate and which complements the smaller single-storey scale of the bungalows which prevail in the vicinity of the appeal property.
10. Section 12 of the Framework states the importance and need for good design. Policy 10 of the Leeds Core Strategy and saved policies GP5 and BD6 of the Leeds Unitary Development Plan (UDP) Review all seek to ensure that development is appropriate to its context and results in no harm to visual amenity. Further advice on good design is found within the Council's Householder Design Guide (HDG), particularly in policy HDG1 and it is these policies and guidelines that are considered most relevant to the appeals before me.

Appeal A

11. The proposal relating to Appeal A is a two-storey extension to the front and side of the appeal property. It includes the demolition and replacement of the existing garage with a two-storey side extension that would align with the existing front and rear elevations of the dwelling. The ground floor would be built to the boundary with No.29 and the first floor would be offset from it by a metre. The existing recessed gap between the front door and garage would be infilled with a two-storey projecting gable and a central front door is proposed with evenly spaced windows at ground and first floor level either side of the projecting gable which would also incorporate a first-floor terrace.
12. I note the appellant says the proposal would match the roofline of No.29 and that, regarding gaps at first-floor level, the proposal has sought to maintain a gap of at least one metre between the appeal property and No.29, thus following guidance in the HDG. Within the HDG it is usually expected that two-storey side extensions are to be off-set from a side boundary to always retain space between houses and ensure a 'terracing' effect does not result. The HDG also sets out the expectation that extensions are set back at least two metres from the front wall to ensure they appear subservient and are not overly visible in

oblique views along the streetscene. Furthermore, this guidance seeks to ensure there is a sense of rhythm retained in gaps and spaces between buildings within a streetscene. It is also understood that the set-back sought through the HDG is intended to provide a visual break between the existing property and the proposed extension in addition to helping to ensure additions remain secondary, subservient elements in appearance.

13. The goal of the HDG is, in part, to produce additions to properties that are secondary and responsive to the host property's character and appearance. The HDG also aims to provide additions that are spatially responsive to the character and appearance of the streetscene and surrounding area.
14. The appellant says that due to the three properties (Nos. 27, 29 and 31 Templegate Close) being positioned at the end of the street, it is not necessary for the terracing effect to be applied to the same degree as in the case of a more visually longer row of linear and similarly featured, semi-detached properties. Moreover, such an effect in this case would not be of the same impact. Notwithstanding this, the terracing effect should be considered and assessed wherever relevant and appropriate, having regard to the location and position of the properties involved within the locality or streetscene. Accordingly, in this case, I find the terracing effect between neighbouring detached dwellings that would result from the proposal would have a significant impact on the character and appearance of the locality which is open in nature and consists of detached single and two-storey properties on individual plots.
15. The proposal in Appeal A would result in the loss of the important first-floor gap between the appeal property and No.29. The works proposed would fundamentally alter the character of the dwelling and create a significantly wider property in scale and mass with a forward projecting two-storey gable. This would result in a property that would fill its plot from side to side and would not retain the necessary space to the neighbouring property. The loss of this gap would create a terracing effect at first-floor level that is considered harmful to the character of the locality as these gaps form an important element of the streetscene and ensure that a sense of space and openness is retained.
16. Regarding the proposed design of the scheme, it would remove the architectural features and themes of the existing house. Moreover, it would interrupt the development pattern of the streetscene that is characterised by simple 1960s architecture with corresponding flat roofed dormers aligned with flat roofed single-story elements. The proposed extension would present a fundamental change to the roof forms and elevational treatment of properties in the locality which would result in an incongruous form of development. Furthermore, the proposal would result in a building significantly greater in mass and bulk than both the existing house on the plot and its neighbouring properties.
17. Consequently, with regard to all of the above, I conclude that the proposal would not respect the architectural themes, character and appearance of the existing house and the prevailing streetscene. It would also fail to respect the spatial character of the surrounding area. Therefore, it is contrary to the aims and intentions of policy P10 of the Leeds Core Strategy, saved policies GP5 and BD6 of the Leeds UDP Review, policy HDG1 of the Council's HDG and relevant advice set out in the Framework.

Appeal B

18. The proposal relating to Appeal B seeks a similar two-storey front and side extension to the appeal property as in Appeal A. However, the first floor would retain a one metre gap to the side boundary with No.29 and would be setback some 3.8 metres from the ground floor front elevation.
19. As noted, the appeal property is one of three properties (Nos. 27, 29 and 31 Templegate Close) that are similar in terms of their design and house type. Each has a distinctive mono-pitched roof front projection with flat roof dormer windows. I note the appellant's

point that Nos. 27 and 29 appear to have been extended and altered over time and are now very different to how they were originally built. I acknowledge the appellant's argument that these properties are now very different in appearance to the appeal property. However, it is not just the relationship between the three houses in terms of appearance that is to be considered. The scale, height, width, rhythm and grouping of the properties are all key contributing elements to the character of the area that must also be considered, rather than just simply the uniformity, or otherwise, of their design and appearance.

20. The appellant refers to other properties in different parts of Templeton Close (Nos 11, 15 and 17) which, it is stated, are similar in style to the appeal property and have been altered. I have had regard to these properties and the appellant's points. However, I note that the alterations to these properties retain the gap between their neighbouring properties and Nos 11 and 17 have retained their flat roofed garages to retain the first-floor separation gap. The properties cited here are similar to but smaller than the appeal property and the proposal in terms of massing and bulk. The context and situation of these properties within the wider streetscene is entirely different. As such, I find that a direct comparison between these properties and the appeal property has limited weight in determining these appeals.
21. The appellant makes the point that the appeal property is largely obscured from view when approaching from the west along Templegate Close and I agree. However, from the south and approaching along the highway, the property appears large and effectively 'bookends' the streetscene from this direction. This is due, in part, to the larger than usual corner plot. Nonetheless, although visually dominant in the streetscene, the appeal property is not completely so due to the gap which appears at first-floor level above the flat roofed garage. Importantly, this retains an element of the open character of the locality despite the larger than usual scale, mass and bulk of the property. The proposed extension and increased width of the property at first-floor level would remove this important element.
22. I acknowledge that this proposal and the proposal under Appeal A would both be compliant with guidance within the HDG in relation to the provision of a one metre gap to the side to the property. However, in terms of its overall scale and the revised design of the extension, it is considered that this revised proposal would have a more harmful impact on the character and appearance of the property and its locality than the proposal under Appeal A. The proposed extension under Appeal B would fundamentally alter the character of the dwelling by not only removing the dormer window but also creating a more prominent front gable extension which would be more apparent at first-floor level due to the set back of the first-floor extension proposed. Moreover, the two-storey projecting gable with first-floor terrace that would infill the existing gap between the garage and lounge would appear out of keeping with the character of the appeal property and its neighbouring dwellings.
23. The proposed extension in this case, and indeed the Appeal A proposal, adds further massing and bulk to the dwelling by replacing the existing flat roofed garage with a two-storey extension, creating a significantly wider property that visually and physically fills the width of its plot. Given its position on Templegate Close and its visibility at the end of a section of public highway from the south, I find that this increased massing would fill that view and be harmful to the character and appearance of the area. In addition, the design of the extension would take away the architectural features of the original dwelling and disrupt the pattern of the three dwellings (Nos. 27, 29 & 31) with corresponding flat roofed dormers along with other single-storey elements that have been retained at Nos 27 and 29.
24. The extension in this case would be dominated by gabled roofs of varying heights. Whilst it would be compliant with guidance in terms of the first floor retaining an adequate off-set from the boundary with No.29, the fact that the ground floor is built up to the plot boundary would result in visually drawing the eye to the full extent of this. I also note the eaves of the two-storey extension are not aligned with the eaves of the existing dwelling. This would add further visual harm to the front elevation of the property and its overall character and appearance. This harm would also project into the wider locality due to the property's

position in the streetscape and therefore would result in further significant harm to the character and appearance of the surrounding area.

25. The HDG states the importance of extensions providing a degree of subservience to the host property. Furthermore, I note that there is an expectation that extensions respect the basic shape, form and appearance of the host property. In this regard, the ridge line of the two-storey side extension is lowered below the existing property's ridge line. However, this reduction in height is minimal and as a result, the proposed side extension would not appear as a subservient addition to the property. If this were allowed, I am aware that this could set a harmful precedent for other similar house types in the street. Furthermore, if repeated elsewhere, it is my concern that this would result in a progressively more harmful impact on the character and appearance of the surrounding area.
26. Overall, having taken account of the elements of this proposed extension, I find it would result in a dwelling with significantly greater mass and bulk than the existing property and those around it. This distinction would not only significantly harm the character and appearance of the appeal property but also disrupt the collective visual rhythm of the three adjacent properties in this part of Templegate Close. It would also have a significant adverse impact on the character and appearance of the surrounding area in terms of the scale, massing and design.
27. Therefore, considering the above, I conclude that this proposal is contrary to the aims and intentions of policy P10 of the Leeds Core Strategy, saved policies GP5 and BD6 of the Leeds UDP Review, policy HDG1 of the Leeds HDG and the policies and guidance set out within the relevant sections of the Framework.

Planning Balance

28. The proposals under Appeal A and Appeal B would both provide additional living space for the benefit of the occupants of the appeal property and this attracts moderate weight. However, I find that both proposals would result in significant harm to the character and appearance of the existing dwelling and the wider streetscene. As a result, this harm attracts significant weight in the overall planning balance.
29. I acknowledge that other matters raised in both appeals relating to residential amenity and highway safety would not cause any substantive harm. Therefore, these are considered as neutral elements which weigh neither for nor against the proposed schemes.
30. Consequently, having had regard to all relevant matters, I conclude that the modest weight attributed to the benefits of both proposals does not outweigh the significant harm that has been identified.

Conclusions

Appeal A

31. The proposed extension would have an unacceptable significant harmful impact on the character and appearance of the appeal property and its surrounding area. For the reasons stated above, I therefore conclude that Appeal A should be dismissed.

Appeal B

32. The proposed extension would have an unacceptable significant harmful impact on the character and appearance of the appeal property and the surrounding area. As a result, for the above reasons, I conclude that Appeal B should be dismissed.

Andrew McCormack

Inspector