



Appeal Decision

Site visit made on 11 June 2024

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2024

Appeal Ref: APP/N4720/D/24/3338594

452 Selby Road, Halton, Leeds LS15 9AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ace Homes Ltd against the decision of Leeds City Council.
 - The application Ref is 23/06732/FU.
 - The development proposed is single storey wrap around extension with hipped roof to match surrounding context.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on (i) the character and appearance of the host dwelling and the surrounding area, (ii) the living conditions of the occupiers of 450 Selby Road with particular reference to outlook and light and (iii) trees.

Reasons

Character and appearance

3. The appeal dwelling is located on the corner of Selby Road and Garland Drive. It appears prominently in both of those street scenes owing to this positioning and to other factors including the topography of the surrounding area and the limited height of the vegetation which forms the boundary of the site with the public highway. It is a modern dwelling with simple design features and a gable roof, a design which is replicated on those dwellings on the same side of Selby Road and those which run to its rear along Garland Drive. This gives a firm consistency and coherence to the respective street scenes and is a positive contributor to the character and appearance of the area.
4. The proposed extension would have a large footprint in relation to that of the existing dwelling and a substantially sized hipped roof would be incorporated above both it and an external decking area. The scale of the proposed development would be readily apparent from outside of the site, in particular when viewed from along Garland Drive and from views close to its junction with Selby Road. The roof structure would be of an unusually large size and would visually dominate the host dwelling because of its sheer scale. Its impact would be accentuated as it would contrast with the gable roof that is found on the existing dwelling. Collectively this would result in significant harm to the character and appearance of both the host dwelling and the surrounding area.

5. Although the proposed extension to the front would to some extent unbalance the row of dwellings along Selby Road which do not have similar projections across their full front elevations, taken in isolation it would be a minimal addition in terms of its footprint and its impact in street scene terms would be lessened as the appeal property is in essence a detached dwelling at the end of the row. However, the use of a hipped roof would again jar visually with the roof of the main house. Whilst the appellant has highlighted an example of two dwellings opposite where a ground floor hipped roof has been used on a gable roofed dwelling, the extent of the hipped roof is substantially lesser than on the appeal proposal as a whole, and those dwellings are found mid-row and not in a corner location. Their impact is therefore not comparable to that which would result from the appeal proposal.
6. For these reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the host dwelling and the surrounding area as a result of its scale and the use of a hipped roof. Consequently, it would fail to accord with Policy P10 of the Core Strategy 2019 (CS) and Saved Policies GP5 and BD6 of the Unitary Development Plan Review 2006 (UDP) where they seek to protect character and appearance. There would also be a conflict with the aims of Policy HDG1 of the Householder Design Guide Supplementary Planning Document 2012 (SPD) in the same respect, and with the National Planning Policy Framework where it seeks to achieve well-designed and beautiful places.

Living conditions

7. The plans submitted provide limited details about how the fall in the ground level of the rear garden area would be addressed, other than to suggest that the decking would be elevated on columns. In order to achieve a floor level that would be the same, or at least similar, to that of the existing dwelling, it would appear that the development would need to sit substantially higher than parts of the rear garden of the host dwelling. This would also elevate it higher above the rear garden area of 450 Selby Road, which also slopes down, than might normally be expected in the case of an extension located close to a common residential boundary.
8. The proposal would extend along much of the shared boundary with No 450 and would be visible at least in part from the windows of this adjacent dwelling and more notably from its rear garden area. Although the hipped roof would minimise its height, it would nonetheless be an extension that would not only extend a significant distance along the boundary, but one which would have a substantial height. This would place a structure immediately adjacent to the boundary which would be visually dominant when viewed from the rear garden of No 450 in particular, resulting in harm to the outlook available to the occupiers of that dwelling and a reduction in light reaching at least part of their rear garden area.
9. In conclusion, for the reasons I have set out, the proposed development would result in harm to the living conditions of the occupiers of No 450 with respect to loss of outlook and light. The proposal would therefore fail to accord with Policy P10 of the CS and Saved Policy GP5 of the UDP where they seek to safeguard living conditions. There would also be a conflict with the aims of Policy HDG2 of the SPD in the same regard.

Trees

10. There are several trees in the garden of No 450 that may be affected by the proposed development. Although a survey of two of these trees has been submitted with the appeal, it is not evident whether this has been undertaken by an arboricultural specialist and, having not been provided at planning application stage, it has not been assessed by the Council.
11. Whilst there may be some mitigating factors in that the trees might already have been affected by the installation and the position of the boundary fence and it would appear that the proposed decking would be erected on columns above the ground, I am not able to conclude on the basis of the information I have before me that the proposed development would accord with Policy P12 of the CS and Saved Policies GPS5 and LD1 of the UDP, where they seek to protect trees.

Conclusion

12. For the reasons given above, the appeal should be dismissed.

Graham Wraight

INSPECTOR