The Planning Inspectorate

Appeal Decision

Site visit made on 11 October 2021

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 October 2021

Appeal Ref: APP/N4720/D/21/3279185
12 Deneway, Stanningley, Pudsey LS28 6EN

- 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 & Ms O'Hanlon & Linley against the decision of Leeds City Council.
- The application Ref 21/01535/FU, dated 22 February 2021, was refused by notice dated 11 May 2021.
- The development proposed is a Two Storey Extension to Side & Rear.

Decision

1. The appeal is allowed. Planning permission is granted for a Two Storey Extension to Side & Rear at 12 Deneway, Stanningley, Pudsey LS28 6EN in accordance with the terms of the application Ref 21/01535/FU dated 22 February 2021 subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

    3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Existing Plans & Elevations 01 & Proposed Plans & Elevations 02 Rev E.

Procedural Matter

2. The description of the proposal has been altered from the application form to the decision notice. That on the application form adequately describes the proposal and I have determined the appeal on that basis. I acknowledge that the extension incorporates a single storey element.

Main Issue

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

Reasons

4. The appeal property is a semi-detached dwelling which sits adjacent to the head of Deneway which is a residential cul-de-sac.

5. The extension would exceed two thirds of the width of the main house at both first and ground floor level. As such, the width of the extension would exceed the recommendations within the SPD Guidance[1]. However, the guidance indicates that this should generally be the case, which suggests that there may be some instances where it may be acceptable to deviate from the guidelines.

6. In this instance, the extension would be set well back from the front elevation of the dwelling and would be stepped. Its positioning would mean that it would not be overly prominent within the street scene when viewed against the host property. Further, it would not appear cramped or significantly erode the sense of space between the appeal property and that neighbouring to the west. There does therefore appear to be justification to depart from the guidance.

7. The significant setbacks and much lowered ridgelines would further ensure that the extension would remain subservient to the host property and would not result in its overdevelopment. Subsequently, the proposal would not have an adverse impact on the character and appearance of the host property or area.

8. The proposal would not therefore conflict with Policy P10 of the Core Strategy Selective Review (2019) (CS) which amongst other things requires that development respects the character and quality of an area. The proposal would not conflict with Policies GP5 and BD6 of the Leeds Unitary Development Plan (2006) which amongst other things require resolution on design issues and that extensions respect the scale, form, detailing and materials of the original building.

9. The proposal would not conflict with Policy HDG1 of the SPD which requires that extensions do not harm the character and appearance of the main dwelling or locality. I have not identified conflict with the Framework[2].

Other Matters

10. Given the limited scale of the proposal, it would not be reasonable to condition construction hours on such a scheme.

Conditions

11. 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 relating to details of materials is necessary in the interests of the character and appearance of the area.

Conclusion

12. I have identified no conflict with the development plan and there are no material considerations to indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR

[1] Householder Design Guide Supplementary Planning Document 2012.
[2] National Planning Policy Framework 2021.