
Appeal Decision

Site visit made on 8 November 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2022

Appeal Ref: APP/N4720/D/22/3307552

6 Hall Park Garth, Horsforth, Leeds LS18 5LT

- 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 Darren & Donna Dodsworth against the decision of Leeds City Council.
 - The application Ref 22/03379/FU, dated 11 May 2022, was refused by notice dated 7 July 2022.
 - The development proposed is a two storey side and rear extension.
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Decision

1. The appeal is allowed. Planning permission is granted for Part first floor part two storey side/rear extension with Juliet balcony to first floor rear; conversion of garage to habitable room; external alterations to front and rear; roof light to side at 6 Hall Park Garth, Horsforth, Leeds LS18 5LT in accordance with the terms of the application Ref 22/03379/FU dated 11 May 2022 subject to the following conditions:
 - 1) 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.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 3195 01, 3195 02 C, 3195 03 & 3195 04.

Procedural Matters

2. Although the appeal form indicates that the description of development has not changed from the application form, the description detailed on the appeal form differs from the application form.
3. That description reads 'Part first floor part two storey side/rear extension with Juliet balcony to first floor rear; conversion of garage to habitable room; external alterations to front and rear; roof light to side'.
4. It is a fuller and more accurate description than that on the application form and appears to have been adopted by the appellant through its inclusion on the appeal form. I have therefore adopted this description in the formal decision and considered the appeal on this basis.
5. Alterations to the front of the main body of the dwelling as detailed on the plans and detailed in the above description had commenced at the time of my visit.

Main Issue

6. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

7. The area in many respects does have an open character and appearance with long range views available into the distance looking west down Hall Park Garth. Gaps between properties on the street enable views towards woodland to the north, a church to the east and dwellings on adjacent residential streets.
8. However, such through views are not exclusive to every section of the street. They are limited by a side extension to No.4 Hall Park Garth and are also limited by high garages which are set to the side elevations of No.s 8 and 9 Hall Park Garth.
9. Although the extension would limit some views at the head of the street, views would still be available to the north to the western elevation of No.7 Hall Park Garth, whilst the street would retain a largely open character as a result of its extensive westward views.
10. The extension would remain a subordinate feature by reason of its set back at ground floor level, the more substantial set back at first floor level and the ridgelines that would be set below those on the main dwelling. Its use of gable features would respect the design of the main body of the dwelling.
11. The evidence indicates that the extension would exceed two thirds of the width of the main house. As such, the width of the extension would exceed the recommendations within the SPD¹ Guidance . 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.
12. In this instance, the extension would not be significantly in excess of the suggested maximum width and would incorporate a substantial set back from the front elevation of the dwelling at first floor level, which would limit its impact on the street scene.
13. 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 good design that is appropriate to its location.
14. 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 Framework².

Other Matters

15. My attention has been drawn to a previously dismissed appeal at the site relating to extensions (APP/N4720/D/22/3294253). However, the evidence indicates that the scheme has been amended to include a set back at ground

¹ Householder Design Guide Supplementary Planning Document 2012.

² National Planning Policy Framework 2021.

floor and a more substantial set back at first floor level. The issue of setbacks appears to have been a concern for the inspector within the previous appeal, but within this proposal substantial changes have been made in relation to the proposed set-backs to the extent that I consider they could overcome the concerns of the previous inspector.

Conditions

16. 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. A time limit condition is not necessary given that works appear to have commenced.

Conclusion

17. 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