



Appeal Decision

Site visit made on 22 May 2023

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 June 2023

Appeal Ref: APP/N4720/D/23/3318562

Hillrise, Mill Lane, Bardsey, Leeds, LS17 9AN

- 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 Ian Walsh against the decision of Leeds City Council.
 - The application Ref 22/01662/FU, dated 5 March 2022, was refused by notice dated 24 January 2023.
 - The development proposed is a single storey side extension with dormer bedroom to existing semi-detached property.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey front and rear extensions, and single storey side extension with dormer bedroom at Hillrise, Mill Lane, Leeds, LS17 9AN in accordance with the terms of the application, Ref 22/01662/FU, dated 5 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0221-AP-0001 P2 and 0221-AP-0003 P2.
 - 3) Prior to development above slab level, details and/or samples of the roof tiles to be used in the construction of the development shall first be submitted to and approved in writing by the Local Planning Authority. The development shall then be constructed, strictly in accordance with the approved details and the 'Material Key' on drawing no. 0221-AP-0003 P2.

Preliminary Matters

2. The description in the banner heading is taken from the application form. However, in my decision I have amended the description of the proposed development to better reflect the scheme. Whilst the Council's decision notice lists the side extension as a two-storey structure, I consider this element of the scheme single storey in form, with accommodation in its roof space.

Main Issue

3. The main issue of this appeal is the effect of the proposed development on the character and appearance of the appeal site and surrounding area.

Reasons

4. The appeal site comprises a semi-detached property, which occupies a corner plot at the junction of Mill Lane and Margaret Avenue. It is acknowledged that the proposed side extension extends towards Margaret Avenue and that 'Spring

Bank' is behind the site, forming the start of the return building line. Nonetheless, the distance between the host dwelling and 'Spring Bank' is notable, as too is the increase in levels away from the site, and the subordinate nature of the proposed development. Additionally, there are deviations in the alignment of properties forming the return building line along Margaret Avenue. The host dwelling is semi-detached and there would be dormer windows on the proposed front and rear roof slopes of the scheme. Whilst the host dwelling or the adjoining property do not have dormer windows, the addition of such features on the host dwelling through their size and design would maintain and respect features in the existing house. Additionally, the symmetry with the adjoining property would be maintained, given the large side extension already present at 'Craigmore', albeit through a different approach to design.

5. Even though the site is visually prominent on both Mill Lane and Margaret Avenue, given the number of properties in the locality with dormer windows, the introduction of such features would result in no adverse effect on the character of the surrounding area. Similarly, whilst the proposed wrap around bay window is an intriguing design feature, I accept that there are varying approaches to fenestration in the locality, but in any event, I do not consider that this element of the scheme would justify withholding permission. With regards to the proposed new roof tiles, there is little detail provided on this external material, thus, the submission of details would be required, as the expanse of new tiles as a result of the scheme could significantly alter the appearance of the host dwelling. This could be controlled through the imposition of a suitably worded condition, as suggested by the appellant.
6. The proposed development would therefore comply with the design, character and appearance aims of Policies P10, P12 of the Leeds City Council Core Strategy Selective Review (2019), saved Policies GP5 and BD6 of the Leeds Unitary Development Plan (2006), Policy BE1 of the Bardsley cum Rigton Neighbourhood Plan (2017), Policy HDG1 of the Householder Design Guide Supplementary Planning Document (2012) and the National Planning Policy Framework. Together, and amongst other things, these policies require new development, extensions to dwellings specifically, to respect the scale, form and design of the host building and are of high quality, inclusive and contextually appropriate in design generally.

Conditions

7. I have imposed the standard conditions relating to the timescale for the commencement of development and adherence to the approved plans, for clarity and certainty. A materials condition is also reasonable and necessary in the interests of character and appearance.

Conclusion

8. The proposed development accords with the development plan when taken as a whole and there are no other material considerations which outweigh this finding.
9. For the reasons given above, I conclude that the appeal should be allowed.

W Johnson

INSPECTOR