



---

## Appeal Decision

Site visit made on 23 May 2023

**by John Dowsett MA DipURP DipUD MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 22 September 2023**

---

**Appeal Ref: APP/N4720/D/23/3315957**

**7 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 and Mrs Haynes against the decision of Leeds City Council.
  - The application Ref: 22/06076/FU, dated 5 September 2022, was refused by notice dated 19 December 2022.
  - The development proposed is described as: Part two storey and part single storey extension to side and rear with dormers to front and rear.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a part two storey and part single storey extension to side and rear with dormers to front and rear at 7 Hall Park Garth, Horsforth, Leeds LS18 5LT in accordance with the terms of the application, Ref: 22/06076/FU, dated 5 September 2022, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; Drawing Number 01 – Existing Plans and Elevations; and Drawing Number 02 Revision C – Proposed Plans and Elevations.
  - 3) 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.

### Preliminary Matters

2. The planning application form describes the proposed development as 'Extension to side and rear' whereas the decision notice issued by the Council uses the description 'Part two storey and part single storey extension to side and rear with dormers to front and rear'. Although there is nothing that would indicate that this alteration to the description was agreed, I have noted that the appellant has adopted the Council's wording on the appeal form. The description used by the Council more accurately sets out the works proposed, and I have, therefore, also used this for the purposes of the appeal.

### Main Issue

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

## Reasons

4. The appeal building is one half of a pair of mid to late twentieth century semi-detached dormer bungalows, built in brick with hanging tiles on the face and cheeks of the dormer. To the side of the building, set back from line of the frontage, is a detached flat roofed garage. Hall Park Garth is a short cul-de-sac containing a number of similar pairs of dormer bungalows, together with three pairs of two storey semi-detached houses and five, two storey, houses linked to their neighbour by a single storey flat roofed element containing the principal entrance and a garage. These latter are orientated with the gable ends facing the road. The cul-de-sac is part of a wider housing development comprised of houses of a similar age and style, many of which are these same house types. I saw when I visited the site that many of the houses in the cul-de-sac and in surrounding area have been altered or extended in a variety of ways.
5. The appeal scheme proposes the demolition of the existing garage and the construction of an extension to the side of the property which would infill the gap between the gable wall and the property boundary at ground floor level. This would be set back from the main front wall of the house and incorporate a chamfered front section to accommodate the line of the boundary. At first floor level a bedroom extension would be added within a new section of pitched roof, incorporating a dormer window to the front elevation and a flat roofed section to the rear that would project beyond the rear roof plane of the main house. This would be narrower than the ground floor extension and the ridge of the roof would be lower than that of the main house. Neither element of the extension would project beyond the line of the existing rear wall of the house.
6. The proposed extension would be set back from the main front elevation of the house and the ridge of the roof of the extension would be well below ridge height of the main roof. As such it would not visually compete with the main part of the house and the original form and massing of the house would still be perceptible. Although at its widest point the ground floor element of the extension would be approximately the same width as the existing house, due to the chamfer to the front part to accommodate the wedge shaped site and a degree of screening provided by the garage of the neighbouring house and the boundary fence, this width would not be readily apparent when viewed in the street scene. When viewed from the street, the proposed extension would be perceived as a subordinate addition to the main house.
7. The use of a pitched roof incorporating a flat roofed dormer of a similar style to, and aligned with, that of the existing house would integrate the proposed extension with the design approach of the existing house. I noted when I visited the site that due to the position of the appeal building adjacent to the turning area at the head of the cul-de-sac and the geometry of the highway, the side elevation of the appeal building is not especially visible until the observer is practically at the building. In longer range views up the street, the side elevation is not visible. Consequently, although the flat roof on the rear part of the first floor extension appears prominent on the submitted drawings the effect on the appeal building and the wider street scene would be negligible.
8. I accept that the rear of the appeal building is visible from the gardens and rear windows of nearby houses on Hall Park Avenue. However, it would be

seen in context with the elongated rear dormer across the rear roof plane of the pair of semi-detached houses and there is a degree of screening from trees with other rear gardens. As such, the visual effect of the rear element would be limited in extent and only effect private views. Overall, the proposed extension would be subservient to the original house and would take appropriate design cues from it.

9. The appeal building is one half of a pair of semi-detached properties. I saw when I visited the site that the attached property, 8 Hall Park Garth, has been extended to the side with a two storey addition featuring a dormer to the front and rear within a pitched roof above a ground floor garage. Whilst I accept the Council's position that this extension was permitted before the publication of the Leeds City Council Householder Design Guide 2012 (the Design Guide), this extension is set well back from the front of the house and is lower than the ridge of the main roof, similar to the approach taken by appeal proposal. The appeal proposal would have a cumulative effect on the appearance of the semi-detached pair. However, as both the existing and proposed extensions would be set back from the building frontage and sit below the level of the main roof, the original form of the pair of semi-detached dormer bungalows would remain readily seen and understood.
10. The proposed extension would narrow the gap between the appeal building and the neighbouring house. Nonetheless, because of the position of the appeal building this gap makes very little contribution to the overall street scene at present as it does not become apparent until the observer is very close to the appeal building. Whilst there are gaps between the properties that make up the street, this is primarily due to the style of housing layout at the time the estate was laid out and there is no evidence that these were planned to provide specific views. Where views are available between houses, these are generally of the roofs or rear elevations of other houses. This is the case with the gap between numbers 6 and 7 Hall Park Garth although there are also longer views to Hunger Hills rising above the housing and forming a backdrop to it. That said, as set out above, this view does not become visible until the observer is outside numbers 6 and 7 and it does not form a prominent or characteristic component of the street scene.
11. As a result of the topography, views up Hall Park Garth from the west are terminated by the houses at numbers 9 and 10 Hall Park Garth, and views looking west from the head of the cul-de-sac have 59 and 61 Hall Park Avenue in the middle distance with long range views of the city visible above the roofs of these houses. The appeal proposal would not impact on these views.
12. The Council have referred to the Design Guide requiring that first floor side extensions should be position 1 metre from the boundary of the property. Whilst I have been provided with extracts of the Design Guide containing Policies HDG1 and HDG 2, together with their supporting text, these extracts do not include this requirement and it does not form part of Policy HDG1 which is cited in the reason for refusal. This notwithstanding, it is clear from the submitted drawings that the majority of the proposed first floor extension would more than 1 metre from the common boundary with number 6 Hall Park Garth, with only the front section less than this. As set out above the gap between these properties is only apparent at very close range and does not make a significant contribution to the overall street scene.

13. The appellant has referred to a proposed extension at number 6 Hall Park Garth, however, no details of this extension have been provided. Consequently, I cannot determine whether similar design principles to the appeal proposal were adopted. In any event I have determined the appeal on its own merits.
14. I therefore find that the proposed development would not cause harm to the character and appearance of the area. It would comply with the relevant requirements of Policy P10 of the Leeds Core Strategy 2014, Saved Policies GP5 and BD6 of the Leeds Unitary Development Plan 2006 Review and Policy HDG1 of the Design Guide which, when read together, expect new development to be of a high standard of design which has regard to its context; respects the scale, form, detailing and materials of the original building; and preserves the character and appearance of the locality.

### **Other Matters**

15. The Council have not raised concerns regarding any other aspects of the proposal. From what I have read and from what I saw when I visited the site, I have no reason to find otherwise.

### **Conditions**

16. I have had regard to the conditions which have been suggested by the Council. In order to provide certainty in respect of what has been granted planning permission, I have attached a condition specifying the approved drawings.
17. In the interests of maintaining the appearance of the building and surrounding area, I have also attached a condition requiring that the external materials used to construct the extension match those of the existing building.

### **Conclusion**

18. I have found that the proposed development would comply with the policies in the development plan which are most important to the determination of the appeal. No material considerations have been identified that would indicate a decision should be made other than in accordance with the development plan policies. For the above reasons, I conclude that the appeal should be allowed.

*John Dowsett*

INSPECTOR