
Appeal Decision

Site visit made on 23 October 2023

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th October 2023

Appeal Ref: APP/N4720/D/23/3326698
158 Hall Lane, Horsforth, Leeds LS18 5EG

- 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 Phil Kane against the decision of Leeds City Council.
 - The application Ref 23/02950/FU, dated 13 May 2023, was refused by notice dated 7 July 2023.
 - The development proposed is part subterranean single storey and part two storey side extension.
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Decision

1. The appeal is allowed. Planning permission is granted for part subterranean single storey and part two storey side extension at 158 Hall Lane, Horsforth, Leeds LS18 5EG in accordance with the terms of the application Ref 23/02950/FU dated 13 May 2023 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: Location Plan, 01, 02, 03, 04 & 05.
 - 4) The development hereby permitted shall not be occupied until the window within the west facing elevation of the extension serving bedroom No. 4 has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the Local Planning Authority before the window is installed and once installed the obscured glazing shall be retained thereafter.

Procedural Matter

2. The description of the proposal has changed from that on the application form. Whilst I note the clarity provided within the Council description, that on the application form is not deficient in describing what is proposed and I have considered the proposal on that basis.

Reasons

3. The proposal relates to a semi detached residential dwelling set back from the verdant Hall Lane and accessed from Grange Drive which spurs off from that road. The evidence indicates that the property has been previously extended through a two storey side and other extensions. It appears that the adjoining semi at 160 Hall Lane has also been extended with a similar two storey side extension. Therefore, the two semi detached properties have a broadly similar appearance in terms of their bulk, design, and massing.
4. The proposed extension when considered cumulatively with that existing would see the total extensions to the side being wider than the original dwelling. However, due to their substantial set back from Hall Lane and the characteristic trees and hedges that line that street which obscure views towards the properties from both directions, the semi detached properties are not at all prominent within the street scene from Hall Lane.
5. There would be some visibility from Grange Drive, although this appears to principally form a cul-de-sac access to a limited number of properties. There are also subtle materials and other differences for example the front porch at the appeal property which serve to limit the symmetrical appearance of the semi-detached dwellings. The extension would retain a degree of subservience through adopting and extending the set down ridgeline of the previous extension from the ridgeline on the main body of the house.
6. For these reasons the extension would not therefore form a dominant or incongruous feature and would not harm the character and appearance of the area.
7. I am aware of SPD¹ guidance relating to two storey side extensions. It advises that generally they should not exceed two thirds of the width of the main house. The use of the word generally appears to indicate that there may be some specific scenarios where it may not be necessary to stick rigidly to this guidance. I consider this to be once such scenario.
8. There would therefore be no conflict with policies P10 of the Leeds Core Strategy (2019), saved policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006) or Policy HDG1 of the SPD. Amongst other things, these policies and guidance require proposals of good design that respect the scale, form, detailing and materials of the original building whilst respecting the character and appearance of the locality.

Conditions

9. Planning permission is granted subject to the standard three-year time limit. A condition requiring matching materials is necessary in the interests of the character and appearance of the area. 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.
10. Further, details of obscure glazing to the west facing window of bedroom No. 4 are necessary in the interests of the living conditions of neighbouring occupiers closely to the west.

¹ Leeds City Council – Householder Design Guide – Supplementary Planning Document – April 2012.

Conclusion

11. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan. The appeal is therefore allowed.

T Burnham

INSPECTOR