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# Appeal Decision

Site visit made on 1 July 2013

**by Anne Jordan BA(Hons) MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 July 2013**

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**Appeal Ref: APP/N4720/D/13/2199799**  
**16 Ash Hill Lane, Shadwell, Leeds, LS17 8JN**

- 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 Paul Bell against the decision of Leeds City Council.
  - The application Ref 13/00717/FU, dated 6 February 2013 was refused by notice dated 4 April 2013.
  - The development proposed is a single storey rear and side extension.
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## Decision

1. The appeal is allowed and planning permission is granted for a single storey rear and side extension at 16 Ash Hill Lane, Shadwell, Leeds, LS17 8JN in accordance with the terms of the application Ref 13/00717/FU, dated 6 February 2013 subject to the following conditions:
  1. The development hereby permitted shall begin not later than three years from the date of this permission.
  2. The development hereby permitted shall be carried out in accordance with the details on the submitted application and the following approved plans: location and block plan ref 113/02 and drawing no 113/01Rev.
  3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

## Main issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and the streetscene.

## Reasons

3. The appeal property lies within a residential estate of predominantly detached properties. The estate appears to have been built in phases and the appearance of properties on Ash Hill Lane varies from that of those immediately adjacent on Strickland Avenue. The appeal property, in common with other properties along Ash Hill Lane, sits on an open plot and its side profile is highly visible in the streetscene particularly in longer ranging views on the approach from Ash Hill Drive. I noted during my site visit that notwithstanding the original consistent appearance of properties and the intended open plan layout, a number of adjacent dwellings have been altered and extended, and a significant number have enclosed the wide grass verges and front gardens, including that adjacent to the appeal property. These alterations, along with the variation in building

style along Strickland Avenue do not detract from the attractive suburban character of the area and forms part of the wider streetscene.

4. The appeal proposal comprises a single storey side and rear extension. Due to the open nature of the plot and its slightly raised position above the adjoining road, the side profile of these works would particularly visible from Strickland Avenue and its continuation as Ash Hill Drive. However, the proposed extension would not be disproportionately large and a significant proportion of the open front would remain. Furthermore, the materials and fenestration reflect the form of the host dwelling. In this regard it would be of an appropriate scale and its appearance would reflect the form of the host property. The existing side profile is of a flat sided gable, which other than being consistent with some nearby dwellings, does not make a significant contribution to the streetscene. The variation in building style and extent of alteration evident elsewhere leads me to the view that the loss of the side profile and some of the open frontage facing Strickland Avenue to facilitate the single storey extension would not detract from the appearance of the host property or the character of the wider streetscene.
5. I therefore conclude that the proposal does not harm the character and appearance of the host property or the locality. It follows that it complies with the provisions of policies GP5 and BD6 of the *Leeds Unitary Development Plan (Review) 2006* which seek to ensure that extensions respect the scale, form, detailing and materials of the original building and its surroundings. This reflects guidance contained within Policy HDG1 of the *Leeds City Council Householder Design Guide*. It also complies with the *National Planning Policy Framework* which has similar aims.

#### *Other Matters*

6. I note the decision of a previous Inspector, on appeal APP/N4720/D/12/2175573. I have reviewed this decision and note that it relates to a significantly larger proposal than the one before me and that the proportion of open land remaining differs in the two proposals. There is therefore no inconsistency between the two decisions.

#### **Conclusion**

7. Having regard to the matters set out above, I conclude that the appeal should succeed. I have considered the Council's suggested conditions in the light of the advice in Circular 11/95. In addition to the standard time condition I consider it necessary to require the development be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. In the interests of visual amenity I also consider it necessary and reasonable to require the works to be carried out in matching materials.

*Anne Jordan*

INSPECTOR