
Appeal Decision

Site visit made on 23 June 2020

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 July 2020

Appeal Ref: APP/N4720/D/20/3252275

2 Scott Street, Pudsey LS28 9HB

- 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 Paul Knowles against the decision of Leeds City Council.
 - The application Ref: 20/00196/FU, dated 10 January 2020, was refused by notice dated 24 March 2020.
 - The development proposed was originally described as a “double storey extension on the side of my house.”
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension at 2 Scott Street, Pudsey LS28 9HB in accordance with the terms of the application, Ref: 20/00196/FU, dated 10 January 2020, subject to the conditions in the attached schedule.

Procedural Matter

2. The description of development in the banner heading above is taken from the planning application form. The Council’s decision notice describes the development as a “two storey side extension” and as this more precisely depicts the proposal, I have used it in my decision paragraph.

Main Issues

3. The main issues are the effect of the proposal on (i) the living conditions of the occupiers of 108 Valley Road (No 108) by way of visual impact and outlook; and (ii) highway safety with regard to parking provision.

Reasons

Living Conditions

4. The appeal property comprises a house which is found at the end of a short terrace. To the side, there is a gated and fenced area where the proposed extension would be sited. The rear of No 108 faces towards the side of the appeal property. No 108’s rear garden extends up to a wall, with a rear driveway found beyond. A wall also forms the boundary between the rear driveway and an adjacent footpath. Beyond the footpath is the side boundary of the appeal site.
5. The gable end wall of the proposed extension would be separated from No 108’s rear garden by the footpath and the rear driveway. When the distance

that would remain is considered with the relationship between the two properties, the proximity to No 108's rear garden would not result in the proposed extension being an overbearing and over-dominant feature, when its siting and 2 storey height are considered. The visual impact and the effect on the outlook from the garden of No 108 would not be untoward.

6. I conclude that the proposal would not have an unacceptable effect on the living conditions of the occupiers of No 108 by way of visual impact and outlook. Hence, it would comply with Policy P10 of the Leeds City Council, Core Strategy (as amended by the Core Strategy Selective Review 2019) and with Saved Policy GP5 of the Leeds Unitary Development Plan (Review 2006) (UDPR) which are concerned with development protecting the visual, residential and general amenity of the area and avoiding a loss of amenity, amongst other considerations.
7. It would also comply with Policy HDG2 of the Council's Householder Design Guide Supplementary Planning Document (2012) as it would protect the amenity of neighbours and not result in harm through overdominance.

Highway Safety

8. The site frontage has a wide crossover onto Scott Street that narrows readily into the site so that one car can be reasonably accommodated, in terms of the off-street car parking provision. The area where the proposed extension would be located is of likely insufficient width for it to contribute towards the current provision. Photographic evidence shows 3 cars parked within the site to the front of the house. However, 2 of these involve parking on or across decorative areas of loose stone, rather than utilising the formal parking space.
9. The Council considers that 2 off-street car parking spaces should be provided in order for the proposal to accord with its expected parking standards, and this has not been disputed. The second space could be accommodated within the site and accessed by the existing crossover.
10. Subject to the provision of the second space by way of the imposition of a planning condition, there would not be a higher demand for on-street car parking and an increase in indiscriminate parking. There would still be sufficient space to the front of the house to allow access to its front entrance. Taking these matters together, pedestrian and highway safety would not be adversely affected to an undue degree.
11. I conclude that the proposal would not have an unacceptable effect on highway safety with regard to parking provision. Therefore, it would comply with Policy T2 of the Core Strategy and with Saved Policy GP5 of the UDPR which require parking provision for cars in accordance with current guidelines and for proposals to maximise highway safety. It would also accord with the Council's Parking Supplementary Planning Document (2016) and the Street Design Guide Supplementary Planning Document (2009) which concern the application of the Council's parking guidelines.

Conditions

12. As well as the statutory time limit condition, I have imposed a condition in the interests of certainty in relation to the approved plans. I have also imposed conditions concerning matching materials to the existing property in the interests of protecting the character and appearance of the area, and

preventing the insertion of side elevation windows on the proposed extension in order to protect the privacy of the occupiers of No 108. A condition is also imposed in relation to the parking provision, in the interests of highway safety.

Conclusion

13. For the reasons set out above, and having regard to all matters raised, the appeal should be allowed subject to the conditions.

Darren Hendley

INSPECTOR

Schedule of 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 rec'd by the Council 10.01.2020, Block Plan rec'd by the Council 04.02.2020, Proposed Front Elevation rec'd by the Council 30.01.2020, Proposed Rear Elevation rec'd by the Council 30.01.2020, Proposed Side Elevation rec'd by the Council 30.01.2020, Proposed Ground Floor Floor Plan rec'd by the Council 04.02.2020, Proposed First Floor Floor Plan rec'd by the Council 04.02.2020.
- 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.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be constructed on the side elevation of the development hereby permitted.
- 5) The extension hereby permitted shall not be occupied until space has been laid out within the site for 2 cars to be parked in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. Thereafter the car parking spaces shall be kept available at all times for that purpose.