



Appeal Decision

Site Visit made on 17 August 2021

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th September 2021

Appeal Ref: APP/N4720/D/21/3275407

7 Riverside Walk, Otley, West Yorkshire LS21 1FG

- 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 Miles Waring against the decision of Leeds City Council.
 - The application Ref 21/00363/FU, dated 12 January 2021, was refused by notice dated 17 March 2021.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at 7 Riverside Walk, Otley, West Yorkshire LS21 1FG in accordance with the terms of the application, Ref 21/00363/FU, dated 12 January 2021 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: Existing Floor Plan, Site Location Plan and Site Boundary Plan (Drawing No: 0009-S01 Rev A), Existing and Proposed Elevations (Drawing No: 0009-S02) and Proposed Floor Plan and Specification (Drawing No: 0009-S03).
 - 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 Matter

2. Since the appeal was submitted, the revised National Planning Policy Framework (Framework) was published in July 2021. I have taken this into consideration in determining this appeal.

Main Issue

3. The main issue is the effect of the development on the living conditions of neighbouring occupiers at 5 Riverside Walk with regard to its general impact, and particularly outlook.

Reasons

4. The site accommodates a three storey end terrace dwelling with a short single storey projection to the rear. The adjoining neighbouring property, No. 5 Riverside Walk also has a single storey projection beyond its main rear elevation, but takes the form of a rectangular bay which is largely glazed.

5. The proposed extension would project 3m from the existing single storey element of the appeal property. I acknowledge, that when combined with the existing outrigger, it would project around 4.5m from the main rear elevation and be sited only a short distance from the common boundary. However, the adjoining property at No 5 also has a single storey addition to its rear, albeit of a limited depth. The proposed extension's flat-roof would be stepped down from the existing addition. Due to these factors, I consider that it would not dominate or appear overbearing in the views from this neighbouring property.
6. I acknowledge that the Householder Design Guide Supplementary Planning Document (2012) (SPD), sets out that single storey extensions can project 3.0m on a common boundary. The SPD does qualify this as a general rule of thumb and in this instance, given the presence of the neighbours' rear single storey element, I do not consider the rearward projection to be excessive.
7. For the above reasons, I conclude that the proposed development would not have an unacceptable impact on the living conditions of neighbouring occupiers at 5 Riverside Walk. As such, it would not conflict with Policy P10 of the Council's Core Strategy or Policies GP5 and BD6 of the Leeds Unitary Development Plan Review, which seek, amongst other matters, to protect residential amenity. It would also not conflict with the SPD or the Framework, which seek, amongst other matters, a high standard of amenity for existing and future users.

Other Matter

8. I have taken into consideration the comments by Otley Parish Council that they do not object to the proposal provided car parking spaces are maintained. I am satisfied that there would be no change in this respect arising from the proposal.

Conditions

9. I have considered the conditions suggested by the Council, having regard to the six tests set out in the Framework.
10. In addition to the standard condition limiting the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty. A condition requiring the use of matching materials on the external surfaces of the development is necessary and reasonable in the interests of the character and appearance of the host building and the area.

Conclusion

11. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should succeed.

F Rafiq

INSPECTOR