The Planning Inspectorate

Appeal Decision

Site visit made on 22 March 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 March 2022

Appeal Ref: APP/N4720/D/22/3291367
33 Gipton Wood Road, Gipton, Leeds LS8 2SB

- 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 S Wasim against the decision of Leeds City Council.
- The application Ref 21/06595/FU, dated 1 August 2021, was refused by notice dated 17 November 2021.
- The development proposed is two storey side extension; single storey front extension.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the sake of brevity and clarity I have taken the description of development from the Council's decision notice.

3. At my site visit, construction works had begun on the appeal property. The construction builders present at the time provided access and I was able to enter the appeal site and undertake the necessary observations. I have determined the appeal accordingly.

Main Issues

4. The main issues are the effect of the proposal on the living conditions of occupiers of 35 Gipton Wood Road and 37 Arlington Road with regards to outlook and privacy; and the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Living conditions

5. The proposed side extension would not extend beyond the rear elevation of the existing property, however it would be a large structure that would appear dominating when viewed from the rear windows and garden area of 35 Gipton Wood Road (No 35). Figures 5, 6 and 7 in the appellants statement of case show that No 35 is set at an angle to the appeal site, as well as the internal layout and window positioning of No 35 and the window and ridge heights. The side extension would incorporate a hipped roof design and the existing detached garage would be removed.

6. The proposed side extension, however, would create a large expanse of built development that would be close to the boundary with No 35. Due to its size, height and siting, the side extension would create an overbearing effect,

reducing the openness feel and would have an adverse effect on the outlook from the rear windows, particularly ground floor windows, and garden area of No 35, significantly compromising the living conditions of the occupiers of No 35.

7. Accordingly, the proposal would have a harmful effect on the living conditions of the occupiers of No 35 with regards to outlook. The proposal would be contrary to Policy P10 of the Leeds Local Development Framework Core Strategy (CS), Policy GP5 of the Leeds Unitary Development Plan (UDP), Policy HDG2 of the Leeds Local Development Framework Householder Design Guide Supplementary Planning Document (SPD) and the National Planning Policy Framework (the Framework) which seeks all development to deliver high quality inclusive design and protect the amenity of neighbours.

8. The first floor window of the proposed side extension would be less than 7.5 metres from the boundary with 37 Arlington Road (No 37). Given the angled positioning of No 37 in relation to the proposed side extension, I am satisfied there would not be any extensive overlooking issues that would result in harm to the living conditions of the occupiers of No 37 in respect of privacy.

Character and appearance

9. The majority of the properties on Gipton Wood Road are positioned in a linear form with simple frontages incorporating modest canopy structures. It is this simplistic and repetitive architectural detailing to the front of the properties combined with the linear form that contributes positively to the character of the area.

10. The proposed front extension would be a large addition that would be visually prominent and disrupt the simple built pattern of the street scene. Due to its size, design and siting, it would not be a subservient structure and would appear as an incongruous feature within the surrounding area.

11. I note the alterations to the front of No 35, however this property is on a corner plot, angled away from the linear pattern of development for the majority of Gipton Wood Road. I therefore do not consider the alterations to No 35 to be directly comparable to the appeal proposals.

12. My attention has been drawn to the extant permission for the appeal site. The proposed front extension would be significantly larger than the approved front extension with the increased projection adding to the harm it would have on the area.

13. The proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would be contrary to Policies P10 and P12 of the CS, Policies GP5 and BD6 of the UDP, Policy HDG1 of the SPD and the Framework which seeks all extensions to respect the scale, form, proportions, character and appearance of the main dwelling and the locality.

Conclusion

14. The proposal would not have an adverse effect on the living conditions of the occupiers of No 37 in respect of privacy. However, this matter would not outweigh the significant harm I have identified with regards to the living conditions of the occupiers of No 35 in regards to outlook as well as character and appearance.

15. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.

16. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR