



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: 11th April 2022

Appeal Ref: APP/N4720/D/22/3291196

1 Fenton Close, Woodlesford, Leeds LS26 8WE

- 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 Mrs Karen Bickerdike against the decision of Leeds City Council.
 - The application Ref 21/09664/FU, dated 29 November 2021, was refused by notice dated 7 January 2022.
 - The development proposed is described as “extension above existing garage and front brought level with porch”.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed extension above existing garage on the living conditions of the occupiers of 3 Fenton Close with regards to outlook.

Reasons

3. The proposed extension would introduce a large expanse of built development within close proximity to windows in the rear elevation of 3 Fenton Close (No 3). The proposed ridge height would not be as high as the ridge height of the existing property, however, the extension would be set closer to No 3 than the two storey element of the existing appeal property. Due to the scale, height and positioning of the proposal, it would be a dominant structure that would appear overbearing when viewed from the rear windows and garden area of No 3 and subsequently have a detrimental effect on the living conditions of the occupiers of No 3.
4. I have had regard to the appellants statement of case, including photos of the appeal property and other extensions in the area. Insufficient information has been provided on these other extensions and I do not consider that they are directly comparable to the appeal scheme, particularly with regards to scale and relationship with neighbouring properties. In any event, I have determined this appeal on its own merits.
5. Accordingly, the proposal would have a harmful effect on the living conditions of the occupiers of No 3 in respect of outlook. The proposal would be contrary to P10 of the Leeds Local Plan Core Strategy, Policies GP5 and BD5 of the Leeds Unitary Development Plan and Policy HDG2 of the Leeds Householder Design Guide 2012 which seeks development to protect the amenity of neighbours.

6. The appellant indicates that the occupiers of No 3 have no objections to the proposal and that there has been no consultation from Council Planning Officers. These matters however do not alter my findings above and the harm to existing and future occupiers of No 3.

Conclusion

7. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the National Planning Policy Framework, which outweigh this finding.
8. Therefore, for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR