



Appeal Decision

Site visit made on 19 April 2022

by A Caines BSc(Hons) MScTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2022

Appeal Ref: APP/N4720/D/22/3294564

19 Blackwood Rise, Cookridge, Leeds LS16 7BG

- 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 & Mrs Dorling against the decision of Leeds City Council.
 - The application Ref 21/09357/FU, dated 15 November 2021, was refused by notice dated 12 January 2022.
 - The development proposed is single-storey extension to rear; demolition of attached garage and rebuild.
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Decision

1. The appeal is allowed and planning permission is granted for single-storey extension to rear; demolition of attached garage and rebuild at 19 Blackwood Rise, Cookridge, Leeds LS16 7BG in accordance with the terms of the application, Ref 21/09357/FU, dated 17 November 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: location plan; 2884 02 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the existing building.

Main Issues

2. The main issues are the effect of the development on:
 - i) the character and appearance of the area, and
 - ii) the living conditions of the occupiers of 21 Blackwood Rise, with particular regards to outlook and light.

Reasons

Character and appearance

3. This part of Blackwood Rise is a short residential cul-de-sac and contains a mix of dwelling types and sizes. The appeal property is a two-storey semi-detached dwelling with gardens to the front and rear, and a driveway at the side. It already has 3 metre deep single-storey and two-storey extensions at the rear, which are adjoined to a garage at the end of the driveway.
4. The Council advises that the proposal, taken cumulatively with previous extensions, would double the footprint of the original dwelling. However, the majority of the massing would be located to the rear where it would be well

concealed from public view. The only visible element from the street would be the lean-to attached garage, which would be modestly proportioned and set well back from the front of the dwelling. Furthermore, a generous rear garden depth of around 15 metres would remain. Thus, despite the overall length and width of the extensions, the effect on the character and appearance of the host dwelling and its surroundings would be minimal.

5. I therefore conclude, on this issue, that the development would not be harmful to the character or appearance of the area, and so, complies with the design requirements of Policy P10 of the Leeds City Council Core Strategy (Selective Review 2019) (the CS), saved Policy BD6 of the Leeds City Council Unitary Development Plan (Review 2006) (the UDP), as well as Policy HDG1 of the Council's 'Householder Design Guide' Supplementary Planning Document (2012) (the SPD).

Living conditions

6. The SPD advises that "as a general rule of thumb" single-storey extensions along the common boundary should not exceed 3 metres. In this case, there is already a 3 metre long, single-storey extension along the rear boundary with No 21. Thus, at 7 metres combined length, the proposal would significantly exceed the Council's guidance.
7. Nonetheless, the ground level where the extension would sit is around 1 metre below the garden level of No 21. In addition, the eaves of the proposed extension would be lower than the existing, while also being set in further from the boundary. As a consequence, the flank wall of the proposed extension would largely be screened by the boundary fence and hedge that it would sit below. The most visible element from the rear outlook of No 21 would be the roof, but the gentle pitch of the roof away from the boundary would ensure that it would not be a dominant or overbearing feature. For the same reasons there is unlikely to be any significant loss of light or overshadowing of No 21.
8. The effect on 17 Blackwood Rise did not feature in the Council's refusal reasons, and I saw no reason to reach a different conclusion.
9. Therefore, despite some conflict with the SPD, I conclude that the development would not harm the living conditions of the occupiers of 21 Blackwood Rise, with particular regard to outlook and light. Thus, the proposal complies with Policy P10 of the CS and saved Policy GP5 of the UDP, insofar as they seek to protect the living conditions of neighbours.

Conditions

10. I have imposed the standard commencement and approved plans conditions for certainty. A condition requiring the external materials to match the existing building would ensure a satisfactory appearance of the development.

Conclusion

11. For the reasons given, I conclude that the appeal should succeed.

A Caines

INSPECTOR