



Appeal Decision

Site visit made on 18 April 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd May 2023

Appeal Ref: APP/N4720/D/23/3314934

6 Oulton Drive, Oulton, Leeds LS26 8EN

- 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 Jonathan Reynolds against the decision of Leeds City Council.
 - The application Ref 22/07411/FU, dated 1 November 2022, was refused by notice dated 10 January 2023.
 - The development proposed is described as upward extension of part of existing ground floor, to create new bedroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of 4 Oulton Drive, with regard to privacy.

Reasons

Character and Appearance

3. The appeal property is a two-storey detached dwelling on a corner plot, at the junction of Oulton Drive and Shelley Crescent. The area is comprised of detached properties with gable roofs and a gable feature on the front elevation. Properties are set back from the road by grass verges and front gardens with low level planting, with clear spaces in-between properties. The similarity in the general scale of the built form and spaces around the properties creates a spacious character. The appeal property has a different appearance with a 'catslide' roof which has an elongated pitch over the rear projection. Nevertheless, there is a clear sense of balance in the area which is characterised as having an open quality.
4. The proposal comprises a first-floor infill extension at the rear of the appeal property, resulting in the existing catslide roof being replaced by a rear facing gable end. The footprint of the appeal property would remain the same and so would not bring development any closer to the highway, the front elevation would also remain unchanged, and the extension would have a lower ridge height than the original property. However, the addition of a first-floor extension would make the built form unduly dominant, which would unbalance the prevailing character and appearance of the area.

5. The increase in massing and change in roof design would be particularly noticeable in views from Shelly Crescent and Coleridge Close, owing to the difference in ground levels in the locality and the appeal site's elevated position in these views. While only a modest infill extension, and even though the design of the scheme would reflect the general appearance of properties in the area, the change in the built form in this location in the street scene would be detrimental to the character and appearance of the area. In eroding the otherwise spacious character it would appear incongruous, drawing the eye in this prominent corner plot location.
6. The appellant has indicated that the gable roof could be changed to a hipped roof. However, I do not have any plans showing this and it would not be appropriate to comment on a scheme I have not seen.
7. I observed a number of two storey gable end roof designs in the area immediate to the appeal site, some of which are as close to the highway as the appeal site. However, these properties do not sit so prominently in the street scene and therefore do not have the same effect on the character and appearance of the area as the appeal scheme would.
8. For the reasons set out above, the proposal would harm the character and appearance of the area, in conflict with Policy P10 of the Core Strategy (Review 2019) and policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) (UDP). These policies, amongst other things, require development to deliver high quality design that is based on a thorough contextual analysis that is appropriate to its location, scale and function.
9. The proposal is contrary to the guidance set out in the Householder Design Guide Supplementary Planning Document (2012) (SPD) at Policy HDG1 regarding well designed extensions. It is also contrary to the provisions of the National Planning Policy Framework (the Framework) at Section 12 in relation to achieving well designed places.

Living Conditions

10. The proposal would introduce a window at the first-floor level which would increase views across the garden of 4 Oulton Drive. However, even though the window is at first floor level, given the separation distance from the window to the shared boundary, it is unlikely that any direct views into the garden of No 4 would be so significant as to result in a loss of privacy to the occupiers that would affect their quality of life. Particularly given that owing to the townscape, there is already a degree of overlooking from other properties.
11. Accordingly, the proposal would not cause harm to the living conditions of the occupiers of 4 Oulton Drive, with regard to privacy, and so accords with policy GP5 of the UDP, which includes a requirement for development to avoid a loss of amenity.
12. The proposed development would be in line with the SPD which at Policy HDG2 advises that development proposals should protect the amenity of neighbours. It is also in line with the Framework at Section 12, which seeks places that have a high standard of amenity for existing and future users.
13. The Council also allege a conflict with Policy BD6 of the UDP with regards to this matter. However, this policy relates to extensions and alterations being sympathetic to the existing building, and my attention has not been drawn to

any words in this policy that is relevant to this main issue. The policy has therefore not been determinative in my decision.

Other Matters

14. The proposal would provide an additional bedroom for the appellant's growing family and it is said that the creation of a 4 bedroom property would contribute to making the area more desirable. These benefits are largely private matters and as such carry limited weight in the determination of this appeal.
15. While there were no objections from neighbouring occupiers to the scheme, this is not a reason, in itself, to allow harmful development. The appellant has expressed frustrations with the Council's handling of the case, however this has not affected my consideration of the planning merits of the scheme.

Conclusion

16. While the proposal would not be harmful to the living conditions of neighbouring occupiers, my above findings in relation to character and appearance bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR