



Appeal Decision

Site visit made on 23 July 2024 by J Reed MPlan

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/N4720/D/24/3344373

8 Scampston Drive, East Ardsley, Wakefield WF3 2FQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Christine Naylor against the decision of Leeds City Council.
 - The application Ref is 24/01880/FU.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are;
 - The effect of the proposal on the character and appearance of the area, and the host property; and
 - The effect of the development on the living conditions of the occupants of No. 6 Scampston Drive, having regard to outlook and light.

Reasons for the Recommendation

Character and appearance

4. The appeal site is a three-storey terraced townhouse, in a residential area characterised by similar terraced properties, and finished in red brick. The similar styles of properties result in a consistent and harmonious character and appearance to the residential street of Scampston Drive.
5. The appeal site is situated on a corner plot with the garden both to the rear and side with a red brick boundary wall bordering the highway. The proposed extension would be 8 metres in depth and would occupy the full width of the rear of the appeal property. This would result in an overly large and dominant form of development which would overwhelm the character of the original property by more than doubling the existing property's footprint.
6. The rear and garden of the appeal property are clearly visible and prominent features when viewed from Scampston Road in both directions due to the site's corner plot location. The height of the proposed extension would exceed the

existing boundary wall by 1 metre, and as a result, the scale of the extension would be highly visible within the locality, and it would appear as an overly large addition. The proposed extension would erode the uniform design quality observed within the area, and the addition of two sky lanterns to the roof of the proposed extension would further increase the height of the development and exacerbate its prominence.

7. I recognise that the proposed extension would use appropriate materials to match the existing dwelling, but this would not sufficiently mitigate the harm caused to the original scale and footprint of the host building. I also acknowledge that there would be a certain degree of screening at particular times of the year provided by the tree adjacent to the appeal sites garage. Nevertheless, the addition of the extension would still be highly visible from numerous public vantage points within the street scene and would be read as an incongruous feature of the existing property.
8. For the reasons as set out, the proposed single storey extension would lead to harm to the character and appearance of the host property and the surrounding area and as a result would conflict with the requirements of policy P10 of the Leeds Core Strategy (2019) and policies GP5 and BD6 of the saved Unitary Development Plan Review (2006) and section 12 of the Framework which mutually seek to ensure new development is appropriate within its locality.

Living conditions

9. The proposed extension would occupy the entirety of the boundary with the neighbouring property, No.6 Scampston Drive. Due to the combination of its length and height, the overall oppressive visual impact of the extension would create a significant sense of enclosure, and an unacceptable reduction in outlook available to the neighbouring occupiers, both from within the property and rear garden. Furthermore, given the orientation of the extension from the adjoining property, there would be some additional over-shadowing of the garden to the detriment of the living conditions of users, and beyond that already experienced due to the relative positions of the neighbouring dwellings.
10. Despite the presence of an approximately 2-metre high boundary fence, I am satisfied that this would not provide sufficient mitigation to the considerable length, and height exceeding that of the boundary fence, as proposed.
11. For these reasons, the development would result in an adverse effect on living conditions with regards to available outlook and light to the occupants of No.6 Scampston Drive. The proposal would therefore not comply with the requirements of policy P10 of the Leeds Core Strategy (2019) and policy GP5 of the saved Unitary Development Plan Review (2006) which seek to protect the amenity, privacy and living conditions of neighbours.

Other Matters

12. I have had careful regard to the Council's contention that by virtue of the differing topography of the properties and separation distances that there would not be an impact of overdominance on No.18 Bronte Close. Based on my observations of the site and its environs, I would agree with this conclusion.
13. I have also had regard to the appellant's submission that there are no objections to the proposal, and that a smaller scheme might present a

reasonable alternative. However, the absence of objections does not preclude a full and proper assessment of the planning merits of the case as they relate to the living conditions of occupiers of neighbouring properties. Furthermore, any alternative scheme should appropriately be assessed under the auspices of a planning application submitted to the Council for their consideration.

Conclusion and Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR