



Appeal Decision

Site visit made on 10 December 2024

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2024

Appeal Ref: APP/N4720/D/24/3346754
30 Holt Park Road, Adel, Leeds LS16 7QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Mackey Ahmed against the decision of Leeds City Council.
 - The application Ref is 24/00922/FU.
 - The development proposed is first floor front and rear extensions, raising of ridge height and dormer windows to rear.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the above banner heading has been taken from the original application form. The decision notice includes a new ground floor window to side, and I have determined the appeal accordingly.

Main Issues

3. The main issues are:
 - The effect of the proposed development on the character and appearance of the original property and surrounding area; and
 - The effect of the proposed development on the living conditions of existing occupiers of No 28 and 32 Holt Park Road (No 28 & No 32) with particular regard to outlook and daylight/sunlight.

Reasons

Character and appearance

4. The appeal site relates to a detached property located on a road comprising other similar style properties. At my site visit, I observed that the properties along this row have relatively uniform heights to one another. The proposed development amongst other works seeks planning permission for a first floor front and rear extension with dormer windows to the rear. To facilitate the works, the ridge height of the property would be raised which would result in the property being appreciably higher than that of its neighbouring properties. I note the measurements and plans put forward by the appellant but given the relatively uniformity of the height of properties, this increase in height would appear incongruous causing harm to the visual appearance of both the existing property and wider street scene.

5. The property has previously been extended and the rear elevation comprises a single storey rear extension. The proposed development would add a further storey to the existing rear extension which would be set back from the rear most part with large dormer windows set within the roof. These elements of the extension are poorly designed giving an overall bulky appearance which would not respect the design and form of the existing property and that of its neighbours. It would appear as a contrived and overdeveloped addition to the rear elevation at odds with other rear elevations along this row.
6. Reference has been made to other identical properties with approvals from the Council for similar proposed extensions although I have limited detail on this to be able to consider it further. In any event, I have determined the scheme based on its own merits and site-specific context.
7. For the above reasons, the proposed development would unacceptably harm the character and appearance of the original property and surrounding area. It would therefore be contrary to Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) (UDPR) and Policy HDG1 of the Leeds City Council Householder Design Guide Supplementary Planning Document, 2012 (SPD) which together, amongst other matters, explains that all extensions, additions, and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and the locality.

Living conditions

8. Neighbouring properties No 28 and No 32 are located either side of the site but detached by a tall brick wall. The proposed development would result in a two-storey blank side wall within close proximity to its neighbours to the rear. That said, the overall depth of the two-storey element is limited above the existing single storey extension which is already set in from the rear boundaries and would also have a set back from this element. It would have a sloping roof form to join that of the existing property. The difference over and above that of the existing is one where I cannot agree that it would give rise to an unacceptable impact in terms of outlook and daylight/sunlight matters. Given the positioning of the neighbouring properties and their windows, any views from inside No 28 and 32 would be at an angle with outlook being largely retained over their own garden areas.
9. In coming to these conclusions, I have considered the extra height and bulk resulting from the increase in height of the property and large rear dormer window. This would not however alter my findings as its overall depth and height would not be such to adversely impact the living conditions of existing occupiers in terms of dominance and overshadowing. This would not however overcome the other harm I have identified.
10. For the above reasons, I conclude that the proposed development would accord with Policies GP5 of the UDPR and Policy HDG2 of the SPD which together, amongst other matters, seek to protect the amenity of neighbours.

Other Matters

11. I appreciate the comments made regarding the need for more space and upgrading/repair of the property as well as noting the appellant's intentions to maximise the use of the site. This would not however alter my findings on the

above main issues nor would any claims made regarding a shortage of housing as the scheme is still poorly designed.

Conclusion

12. Although I have found a lack of harm in relation to living conditions of existing occupiers of No 28 and 32 with particular regard to outlook and daylight/sunlight, I have found harm to the character and appearance of the original property and surrounding area. The proposed development would therefore conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR