



Appeal Decision

Site visit made on 3 December 2024 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRPTI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2025

Appeal Ref: APP/N4720/D/24/3354223

6 Woodland Park, Oulton, Leeds LS26 8LF

- 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 Mr Ashley Watson against the decision of Leeds City Council.
 - The application Ref is 24/02668/FU.
 - The development proposed is a two storey extension to front, side and the rear.
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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.

Preliminary Matters

3. The description above is taken from the application form. It adequately identifies the appeal scheme albeit I have taken into account the additional information on the decision notice which states: 'first floor extension to front, two storey extension to side, part single storey part two storey extension to rear, including balcony with balustrade and canopy at first floor; demolition of existing conservatory to side; new feature window to front; new fence and walls to front and side.'
4. The decision notice refers to the effect of the proposal on off-site landscape assets. The officer report clarifies that this refers to trees that are not under the ownership of the appellant. I have considered this within the effect of the proposal upon the character and appearance of the area. The reasons for refusal also refer to inaccurate plans being submitted. I am comfortable that this was as a result of an error on the rear elevational drawing which has been confirmed by the appellant. I have therefore assessed the proposal based upon the ridge height of the proposed two storey extension being less than the existing dwelling.
5. A revised National Planning Policy Framework has been published. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Main Issues

6. The main issues are the effect of the proposal on a) the character and appearance of the area and b) the living conditions of the occupiers of Number 5 Woodland

Park (No. 5) and Number 3 Elmfield (No. 3) with particular regard to outlook and privacy.

Reasons for the Recommendation

Character and Appearance

7. Properties on Woodland Park are detached and set back from the roadside in line with one another with defined gaps between each creating a pleasant even rhythm and noticeable sense of spaciousness. There is uniformity in the use of red brick walls, red pitched roofs and detailed white window and door frames. Alterations to the properties tend to be to the rear or of a single storey nature. There is a verdant feel to the road with roadside hedging and trees with views of trees to the rear of the properties that provides a soft backdrop. The rear garden of the property also benefits from this sense of rurality due to the mature trees and hedging on the borders with views of the countryside beyond.
8. The proposal includes a number of alterations that would increase the size of the property but also that would create a more contemporary appearance for the dwelling that would stand apart from the others on the street. The alterations include a two storey gable with large windows on the frontage that would create a substantial block inconsistent with and an unacceptable foil to the other largely consistent dwellings on Woodland Park. The two storey side extension would also create a substantial wall to the side that would erode the spacious feel of the street scene, particularly at the end of the cul de sac. The scale of the alterations for the dwelling would, with these matters in mind, be disproportionate and unacceptably stand out.
9. I do not have any detailed evidence before me to demonstrate that there would be any harm caused to the trees outside of the site because of the proposal. However, the two storey side extension would block views of some to the rear from Woodland Park, which would unacceptably degrade the verdant visual qualities of the area. The proposal would, with this and the above in mind, be harmful to the character and appearance of the area. Resultantly, it would conflict with Policies P10 and P12 of the Leeds Core Strategy (CS) as amended 2019 and Policies GP5 and BD6 of the Leeds Unitary Development Plan (UDP) 2006 which are concerned with development being appropriate to its location amongst other things.

Living Conditions

10. The appeal site is set between the gardens of three neighbouring properties. All benefit from good sized plots. The properties are bordered by hedging, fencing and some mature trees. The proposal would introduce a first-floor balcony to the side and rear of the appeal dwelling. Some views from the balcony would be restricted due to the orientation of the building and some mature trees on the border. Nevertheless, being at a higher level, users of the balcony would be able to view directly into the gardens of No.3 and No.5. This would cause an unacceptable loss of privacy for users.
11. The proposal would also create a substantial extension to the rear towards No. 3. However, the closest part of the extension would be single storey with the two storey aspect not extending out as far. There would still be adequate space between the single storey extension and the neighbouring property. The single storey aspect would also be mainly screened from No. 3 by the mature trees and

hedging that are on the border. No.3 is a large detached property that benefits from a large garden and therefore the proposal would not create an unacceptable loss of outlook for No.3 where views between the properties are already restricted.

12. Nevertheless, the proposal would create a loss of privacy for the occupants of No.5 and No. 3 and the scheme would thus be contrary to Policies P10 of the CS and GP5 of the UDP which are concerned with the design of development protecting residential amenity amongst other things.

Other Matters

13. Unless most of the balcony was screened, which would subsequently and significantly devalue its purpose for future users, it would not satisfactorily alleviate the harm that would be caused to living conditions as a whole because of the proposal. The uniformity of materials on Woodland Park is a positive and repeating aspect of the street scene and therefore amended materials would be more likely to be acceptable. However, such a condition would not overcome the other harms I have found both to the character and appearance of the area and the living conditions of the occupiers of neighbouring properties.

Conclusion and Recommendation

14. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

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.

John Morrison

INSPECTOR