



Appeal Decision

Site visit made on 24 June 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 July 2025

Appeal Ref: APP/N4720/D/25/3361501

9 Dawlish Grove, Osmondthorpe, Leeds LS9 9HD

- 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 Patrik Stachovic against the decision of Leeds City Council.
 - The application reference is 24/07166/FU.
 - The development proposed is a front single storey extension; and a rear single storey and double storey extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of the residents of 11 Dawlish Grove with regard to light and outlook.

Reasons

3. The proposal would result in a front extension which the council agree would be acceptable. The rear extension would be barely perceptible from the street and would match a similar two storey extension to the attached property. The pitched roof of the two storey element would represent an appropriate design approach. The proposal would not therefore have an adverse impact on the character or appearance of the area and would not conflict with the design expectations of policy P10(i) of the Core Strategy (as amended by the Core Strategy Selective Review 2019)(CS); policies GP5 or BD6 of the Unitary Development Plan Review (2006)(UDP); or policy HDG1 of the Householder Design Guide (2012).
4. The rear ground floor extension would be six metres deep. The neighbouring property has an extension that appears to be about three metres deep. To the rear of that extension is a patio area which is enclosed to the side by the party wall and to the rear by an outbuilding. The extra three metres of depth of the proposed extension would significantly enclose the first part of the neighbouring patio area as development on the boundary would be much higher. Given the height and depth of the proposal along this boundary, it would reduce sunlight to the neighbouring patio area and rear windows in the summer evenings and it would be overbearing when using the patio and the adjacent rear facing room. It would unacceptably enclose the rear patio area of the neighbouring property and would harm the living

conditions of the residents of 11 Dawlish Grove with regard to outlook and loss of direct evening sunlight.

5. Given the harm to amenity, the proposal would result in conflict with CS policy P10(iii); UDP policy GP5; and policy HDG2 of the Householder Design Guide. There would also be conflict with the National Planning Policy Framework which seeks a high standard of amenity for existing and future users.
6. The property does have a large garden and as such the proposal would not be too great in size in terms of retaining amenity space. Although the ground floor element would be of a scale that does not always require formal approval when no neighbouring objections are received, as permission has been sought, it must be considered against the development plan policies.
7. In conclusion, the proposal would be acceptable with regard to the appearance of the dwelling. It would however result in unacceptable harm to the living conditions of the neighbouring residents at 11 Dawlish Grove with regard to increased shading and a reduction in outlook. Whilst there are matters that weigh in favour of allowing alterations to the property, including the improved accommodation and the investment required, these matters are not sufficient to outweigh my concerns. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR