



Appeal Decision

Site visit made on 11 July 2025

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 July 2025

Appeal Ref: APP/N4720/D/25/3361437

104 Peckover Drive, Pudsey, Leeds, LS28 8EG

- 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 Mrs Nasram Hussain against the decision of Leeds City Council.
 - The application Ref is 24/06878/FU
 - The development proposed is the construction of a part two-storey and part single-storey extension to the side and the rear, with a porch to the front.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the extensions on
 - The character and appearance of the area around Peckover Drive, and
 - The living conditions of the occupiers of No 102 Peckover Drive by way of light and outlook.

Reasons

3. No 104 is a small semi-detached house situated on the western side of Peckover Drive, opposite to its junction with Chatsworth Road. The houses on this side of the road are of similar design with front gardens, sizeable rear gardens, and driveways between each pair. The proposed extensions would include the construction of a two-storey side elevation, some 2.7 metres wide that would project beyond the existing rear elevation by around 4 metres, and a single-storey rear extension projecting 8 metres beyond the existing rear elevation.
4. At the time of my visit, building works had been commenced to the side and rear of the house, apparently consistent with a planning permission already existing at the property. The development already permitted (Ref: 24/03459/FU) is almost identical to the current proposal, with the exception that the rear projection would be a maximum of 6 metres deep as opposed to the 8 metres of the current proposal.

Character and appearance

5. Policy P10 of the Council's Core Strategy (CS) indicates that alterations to existing buildings should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. In addition, proposals will be supported where they accord with certain key principles, including that the

size, scale, and design of the development is appropriate to its context and respects the character and quality of surrounding buildings. Policy BD6 of the Leeds Unitary Development Plan Review 2006 (UDPR) indicates that all alterations and extensions should respect the scale, form, detailing and materials of the original building.

6. Policy HDG1 of the Council's Householder Design Guide (HDG) indicates that all extensions, additions and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and the locality, and that extensions or alterations which harm the character and appearance of the main dwelling or the locality will be resisted.
7. The Council considers that the visual appearance of the appeal property from the public realm would be acceptable in terms of design principles and materials. I concur with that view. However, the scale and overall size of the proposed development would be wholly uncharacteristic of the surrounding area along Peckover Drive. Moreover, it would increase the footprint of the existing house by over 200%; would more than double its overall length; and would add significantly to its overall bulk. On this basis, it would dominate the main dwelling and have a significant adverse impact on the size of the rear garden amenity space.
8. I acknowledge that the current proposal would involve an increase in depth of the rear single-storey extension by only some 2 metres over that of the existing permission. However, the existing permission was granted on the basis of a balancing exercise whereby the Council took into account the personal circumstances of the appellant's family.
9. In this case, the appellant has provided an Occupational Therapy Assessment (OTA) relating to two of her children, indicating that there are a number of special design and space considerations required for her childrens' health and welfare. These are listed as "to have access to their own bedrooms; an additional ground-floor bathroom with a wet-floor shower; and Altro flooring to be installed in the existing bathroom". The existing permission would allow for all of these requirements to be met. The appellant indicates that she would like more space for additional considerations, and I have great sympathy for her situation. However, the existing permission allows for all essential alterations to be included, and without the extenuating circumstances, it could be considered as 'overdevelopment' of the main property and uncharacteristic of the rest of the surrounding locality.
10. I note that the appellant has discounted possible extensions into the roof-space because of her childrens' need for constant supervision. However, the proposal, while not including plans for the roof-space, shows 4 roof lights in the front and side roof slopes, and there would not appear, on the face of it, to be any reason why some of the roof-space could not be used for general living arrangements at some time in the future.
11. In conclusion on this issue, I find that the proposal would result in a dwelling which, by reason of its significant increase in scale and overall bulk, would be uncharacteristic of the locality and harmful to the context of the current main dwelling. I acknowledge and sympathise with the circumstances of the appellant, but I note the existence of the fallback situation which already grants permission for a sizeable set of alterations and extensions, and which enables the provision of all of the actions recommended in the OTA relating to the appellant's children. On this

basis, and taking into consideration the personal circumstances, the proposal would nevertheless conflict with Policy P10 of the CS, Policy BD6 of the UDPR and with Policy HDG1 of the HDG.

Living conditions

12. Policy P10 of the CS indicates that a development should protect the residential amenity of the area through high quality design that protects and enhances useable space, privacy, and satisfactory penetration of sunlight and daylight, Policy BD6 of the UDPR indicates that proposals should seek to avoid problems relating to loss of amenity. Policy HDG2 of the HDG states that all development proposals should protect the amenity of neighbours, and that proposals which harm the existing residential amenity of neighbours through excessive overshadowing, overdominance or overlooking will be strongly resisted.
13. The proposed extensions would maintain a gap of 0.9 metres to the boundary with No 106 and there would be no habitable room windows in the side elevation above ground-floor level. No 104 lies to the north of No 106 and I do not consider that the proposal would have any adverse effects on the occupiers of No 106 by way of light, privacy or outlook.
14. The rear element of the first-floor extension would be 3 metres from the boundary with No 102 and would also have no windows in the side elevation. It would not intrude upon a 45 degree angle from the rear windows in No 102. With regard to this element of the proposal, therefore, I do not consider that it would harm the living conditions of the occupiers of No 102 by way of light, privacy or outlook.
15. However, the proposed single-storey rear element of the proposals would result in a long blank wall projecting 8 metres along the boundary with No 102 and with a height of around 3.5 metres. No 102 has a conservatory across the whole of the rear, projecting 3 metres from the rear elevation of the house and with windows across its rear elevation. The proposed extension at the appeal property would project a further 5 metres and, in my opinion, this would present an overdominant outlook for the neighbouring occupiers. In addition, the appeal property lies to the south of No 102, and the combination of height and length of the proposed extension would result in harm to the amount of light received at the rear of the conservatory at No 102.
16. In conclusion on this issue, I find that the proposed rear extension would be harmful to the living conditions of the occupiers of No 102 by way of being an overdominant feature that would result in an overbearing outlook and loss of light. On this basis it would conflict with Policy P10 of the CS, Policy BD6 of the UDPR, and Policy HDG2 of the HDG.

Conclusion

17. The proposed development would be harmful to the character and appearance of the area around Peckover Drive and would be harmful to the living conditions of the occupiers of the neighbouring No 102. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR