



Appeal Decision

Site visit made on 12 August 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 September 2025

Appeal Ref: APP/N4720/W/25/3367000

11A Woodhall Park Crescent East, Stanningley, Pudsey, Leeds LS28 7HG

- 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 Miss Rihana Saddiq against the decision of Leeds City Council.
 - The application Ref is 25/00152/FU.
 - The development proposed is demolition of existing dwelling and erection of a new dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal upon the character and appearance of the area;
 - the effect of the proposal on the living conditions of occupiers of nearby properties with particular reference to privacy, light and outlook, and;
 - whether the proposal would provide future occupiers with suitable living conditions with particular reference to levels of light, outlook, and provision of outdoor amenity space.

Reasons

Character and appearance

3. The appeal property is a detached two-storey dwelling located within a residential area which is characterised by properties of a variety of ages and scales. Many dwellings are detached, and in some cases appear to be replacements. The area of the street closest to the appeal site includes a number of bungalows or houses of around 1.5 storeys in height, with larger two-storey properties, such as the existing dwelling at the appeal site, interspersed.
4. The appeal proposal would constitute a detached dwelling of significantly larger scale than that which currently occupies the site, in terms of both frontage width and depth. It would be obviously and incongruously larger than both the two-storey dwellings which are located nearby, and the much smaller dwellings, of which there are of several, and some of which adjoin the site. As a result, the appeal property would be seen as a harmfully prominent feature within the street. This harm would be further accentuated by the triple-glazed gable projections within the front elevation, which would not be reflective of the context of the appeal site.

5. The existing dwelling is a pleasingly proportioned detached dwelling with gable projection and bay windows, sat within a commensurately sized plot leaving generous space between the building and the boundaries of the site. In contrast, the proposal would occupy a large portion of the appeal site, with its significant width extending towards the boundaries at either side, leaving only limited visual separation to neighbouring properties when viewed from the road. This would lead to the proposal appearing cramped within its plot and would serve to only accentuate the significant width of the proposal, along with the location of the appeal slope on a gentle gradient. The proposed triple gable features to the front elevation would not mitigate the visual width and volumetric scale to a notable extent.
6. The rear elevation of the proposal, although not widely visible from the road, would nevertheless exhibit a high solid to void ratio, particularly towards the centre of the elevation, which would also serve to accentuate the scale of the proposal. Furthermore, the large and wide glazed areas within the rear roof slope would dominate this elevation and would also serve to highlight the excessive scale of the building, rather than offer any form of mitigation.
7. Overall, the proposal would appear as an incongruously large dwelling within the street and when viewed in the context of the existing buildings around it, would be visually jarring.
8. Although it is stated that other, similar, proposals have been constructed in the area, I have not been directed to any specific examples. However, I observed that there are other replacement dwellings within the street. Nevertheless, none appeared to be of a directly comparable in scale and design. They do not, therefore, justify the harm that I have identified in this case.
9. The proposal would harm the character and appearance of the area. It would conflict with Policies P10 and SP6 of the Leeds Local Plan Core Strategy ('LCS') and Policy GP5 of the Leeds Unitary Development Plan ('LUDP'). Together and amongst other factors, these policies state that proposals will be supported where they are of a size, scale, design and layout appropriate to their context, that the distribution of new housing will take account of opportunities to reinforce or enhance the distinctiveness of existing neighbourhoods, and that proposals should resolve detailed planning considerations such as design.
10. The Council has also cited conflict with LUDP Policy BD5, however this policy relates to local amenity, and is not therefore, directly relevant to this main issue. I do not, therefore, find conflict with it.

Living conditions – existing occupiers

11. The proposal, due to its size, would be located closer to existing properties to the side and rear of the appeal site than is presently the case with the existing dwelling. The Council has indicated, and it has not been disputed, that the rear elevation of the proposal would face the rear garden boundary from a distance of around 3.8m. While views would be mostly across the garden areas to the rear, the significant scale of the proposal, including the large areas of glazing in the rear roof slope means that extensive views into large areas of several neighbouring gardens would be possible from an elevated position. This would lead to an unacceptable loss of privacy to occupiers of these properties.

12. I acknowledge that it is likely that some views into neighbouring gardens would be possible from the existing dwelling due to the arrangement of surrounding dwellings and their gardens. Nevertheless, the proposal, for the reasons set out, would lead to a situation materially worse than that which exists at present.
13. In terms of light and outlook, the proposal would extend towards the rear of the appeal site to a greater extent than the existing dwelling, and that it would be directly to the south of an existing building of a lesser height, and in close proximity. It is therefore likely that the proposal would affect the levels of light and outlook available to occupiers of this property, and it has not been demonstrated that such effects would not be significant.
14. In relation to this main issue, I conclude that the proposal would harm the living conditions of occupiers of nearby properties with particular reference to privacy, outlook and light. It would conflict with LCS Policy P10 and LUDP Policies BD5 and GP5. Together and amongst other factors, these policies state that proposals will be supported where they protect residential and general amenity including privacy, daylight and sunlight, and that proposals should resolve detailed planning considerations such as design.

Living conditions – future occupiers

15. The proposal would comprise a five-bedroomed house. Of these, Bedroom 5 would be served solely by a window in the side elevation of the dwelling. This would be located close to the shared boundary with 11 Woodhall Park Crescent East and would face directly towards the side elevation of this building. Given the lack of separation only very limited outlook would be available from this window, resulting in unacceptable living conditions for future occupiers of this room.
16. The proposed kitchen and family room would both face the rear boundary of the property at an undisputed distance of around 3.8m. Both rooms would be served by large folding doors, as well as a secondary window or door in the respective side elevations. Although the rear boundary would be in close proximity, given the size of the proposed openings, the rooms would not feel unacceptably enclosed, such that they would result in unacceptable living conditions.
17. Of the garden area that would remain to serve the proposal, a significant portion is indicated as providing a parking area for at least four cars. A grass area would be provided to the rear and side.
18. I understand that the Council's Neighbourhoods for Living Design Supplementary Planning Guidance indicates that external private areas should have a minimum area of 66% of the total proposed gross floor area of the dwelling. Although precise figures have not been put before me, the Council has indicated that the proposal fails to achieve this level of provision. This has not been disputed, and I have no other reason to disagree with the Council's position in this respect.
19. Being mindful of this and even taking account of the proposed parking area in addition to the indicated areas of grass, the amount of private amenity space provided would be limited given the size of the proposed dwelling, the potential number of occupiers that could be accommodated within it and likely recreational and functional demands that adequate outdoor amenity space would provide.

20. In relation to this main issue, I therefore conclude that the proposal would fail to provide acceptable living conditions for future occupiers with particular reference to outlook and amenity space. It would conflict with LCS Policy P10 and LUDP Policies BD5 and GP5 which together and among other factors state that these policies state that proposals will be supported where they protect residential and general amenity including privacy, daylight and sunlight, and that proposals should resolve detailed planning considerations such as design.

Other Matters

21. I acknowledge the appellant's desire to provide a family home and that site provides an opportunity to deliver a dwelling specific to the appellant's needs. However, no specific circumstances have been put before me which would outweigh the harm that I have found.
22. The proposal would provide temporary economic and social benefits by providing employment during construction and would comprise the redevelopment of a previously developed site. However, it has not been shown that the current dwelling is not fit for occupation and nor is the current dwelling harmful to the character and appearance of the area. I therefore afford these benefits minor weight. As the proposal would be a replacement dwelling, it would not represent a boost to the supply of housing.

Conclusion

23. For the reasons given above, the proposal would conflict with the development plan as a whole. There are no material considerations, including the National Planning Policy Framework, worthy of sufficient weight that would indicate a decision should be taken other than in accordance with it. I therefore conclude that the appeal should be dismissed.

C Harding

INSPECTOR