



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/25/3367050

13 Oak Avenue, Garforth, Leeds, LS25 1PU

- 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 Thomas Idle against the decision of Leeds City Council.
 - The application Ref is 24/07189/FU.
 - The development proposed is retrospective application for front porch extension; two story side extension; single story side extension; detached outbuilding to rear.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. It was apparent at my visit that the development had been carried out and appeared to be in accordance with the plans before me. I have therefore assessed the scheme on a retrospective basis.

Main Issues

3. The main issues are the effect of the development upon:
 - the character and appearance of the area;
 - the living conditions of occupiers of neighbouring properties, and;
 - parking and highway safety.

Reasons

Character and appearance

4. The development has a number of elements and of these the Council has only raised concerns in relation to the two-storey side extension and the front porch. I have no reason to conclude differently in relation to the other elements of the development, and I have therefore restricted my considerations to those elements with which the Council has raised concerns.
5. The appeal property is one half of a pair of semi-detached properties and appears to have originally been typical of those found in the street and the wider "Oaks Estate".
6. The side extension element of the development sits flush with the front elevation of the property and continues the existing roofline, before incorporating a hip in contrast to the gable roof design of the neighbouring property. When viewed from

the street, it displays no subordination to the host property, and as a result, has led to a significant unbalancing of this pair of semi-detached dwellings. This design approach does not align with advice within the Leeds Local Development Framework Householder Design Guide Supplementary Planning Document ('the HDG') which advocates that side extensions should be set back from the existing front elevation. The fact that the extension does not project beyond the building line does not mitigate the harm that has resulted.

7. Moreover, although there are examples of other two-storey side extensions in the area, a number incorporate a design more in accordance with advice within the HDG than the scheme which is before me, and in any event, I have not been made aware of the circumstances of any particular examples, such that I could afford them significant weight in reaching my decision.
8. The porch is objectively relatively large in comparison to the original dwelling. However, when read in the context of the two-storey side extension, it does not overwhelm the front elevation or appear as incongruously large within the streetscene. As I am considering the development as a whole, I do not find the porch to be unacceptably harmful as a result.
9. Nevertheless, given my findings in relation to the two-storey side extension, I conclude that the development harms the character and appearance of the area. It therefore conflicts with Policy P10 of the Leeds Local Plan Core Strategy ('LCS') which states, amongst other things, that a development will be supported where it is of a scale, size and design appropriate to its context and respects the character and quality of surrounding buildings.

Living conditions

10. The two-storey side extension projects beyond the rear of the neighbouring property (11 Oaks Avenue). The Council states that the level of projection results in the extension breaching the "45-degree code" set out in the HDG. This is disputed by the appellant, however neither party has provided conclusive evidence in this respect.
11. Nonetheless, I observed that the rear projecting element is offset from the shared boundary and that the rear windows at the neighbouring property have wide outlook both into the garden and away from the boundary shared with the appeal site. Therefore, even if I were to find that the appeal development falls within a 45-degree arc, any conflict in this respect would appear to be marginal, and in any event, has not resulted in unacceptable living conditions for occupiers of the neighbouring property.
12. There is no significant difference in level between the appeal property and No 11, and although the rearwards projection of the two-storey side extension extends along the shared boundary, it is separated from it which provides a degree of visual relief and it would not appear as over-dominating when seen from No 11 and the associated garden.
13. The development has not harmed the living conditions of occupiers of neighbouring properties. It therefore accords with LCS Policy P10 and Policies GP5 and BD5 of the Leeds Unitary Development Plan Review ('LUDP'). Among factors, these policies state that proposals will be supported where they protect residential and general amenity

Parking and highway safety

14. The porch has reduced the level of car parking that can be accommodated within the appeal site to a single vehicle. CS Policy T2 states that parking provision will be required in accordance with current guidelines, and the Council has indicated, and it is not disputed, that this would comprise a minimum provision of space for parking two vehicles within the curtilage of the site. Accordingly, the development fails to meet the parking requirements in this respect.
15. On-street parking in the area was in very low demand at the time of my visit, however I noted that there are parking controls in place which operate during the day and restrict parking to resident permit holders only, which may have affected the level of on-street parking at the time of my visit. I also observed that many houses in the street had off-street parking space for at least one vehicle.
16. In these circumstances, and with no other evidence before to indicate to the contrary, I consider that it is unlikely that the demand for on-street parking in the area would increase significantly outside of the hours of the parking restrictions. Nor has it been shown that the area is subject to excessive parking pressures or highway safety issues.
17. Therefore, while the proposal could lead to an increase in demand for on-street parking, in this context, it is unlikely that such an increase could not be safely accommodated or lead to any other harm.
18. I therefore conclude that the proposal would not have a harmful effect on parking and highway safety. It would accord with UDP Policy GP5 which states that proposals should seek to avoid highway congestion and maximise highway safety. The proposal would not accord with the requirements of CS Policy T2 in respect of parking provision, but for the reasons given above I find in this instance the policy conflict to be acceptable.

Other Matters

19. An interested party has indicated that they have no objection to the appeal scheme and that it does not affect the enjoyment of their property. I note that the Council has alleged no harm in this respect, however the lack of any harm is a neutral factor and does not weigh in favour of the scheme.

Conclusion

20. The development results in no harm with reference to living conditions or parking and highway safety. However, the harm identified in relation to the effect of the proposal upon the character and appearance of the area means that it would conflict with the development plan, when read as a whole. Material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

C Harding

INSPECTOR