



Appeal Decision

Site visit made on 15 September 2025

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

an Inspector appointed by the Secretary of State

Decision date: 30 September 2025

Appeal Ref: APP/N4720/D/25/3371449

2 Boundary Close, Leeds LS15 9HX

- 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 L Walton against the decision of Leeds City Council.
 - The application reference is 25/02910/FU.
 - The development proposed is a first-floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first-floor side extension at 2 Boundary Close, Leeds in accordance with the terms of the application, reference 25/02910/FU, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and drawing 1579-01.
 - 3) The materials to be used in the construction of the external surfaces shall match those used in the existing dwelling.

Main Issue

2. The main issue is the effect on the living conditions of the residents of 10 and 12 The Wickets with regard to outlook.

Reasons

3. The proposal would increase the height of the existing side elevation of the house in the vicinity of the side boundary. It would be close to the end of the gardens of the two neighbouring properties. The council is concerned that this increase in height would be overbearing when within the adjacent houses and their gardens. It is accepted that because of the aspect, any changes in shading within those gardens would not be harmful.
4. The existing dwelling is shown by the appellant to be 12 metres from the rear of the nearest neighbouring property, 10 The Wickets and very marginally further from number 12. The higher wall would be more imposing but it would be of only a relatively short depth along the boundary and as it would straddle the gardens of both adjacent properties, the impact on each would be more limited.

5. It would lie immediately to the rear of the garage of number 12. The house windows would continue to have an open aspect across the front of the appeal property. The higher side elevation would not therefore significantly alter the outlook from that house. From its garden, the structure would be more imposing but would only adjoin a small section of the garden. Given the lack of concern about shading, the greater enclosure of the garden would not unacceptably harm the living conditions of the residents of 12 The Wickets.
6. The higher wall would not be directly opposite the patio doors serving number 11. The smaller window directly in line with the extension appears to be a kitchen window. In any event, as the extension would straddle the boundary and be of a limited depth, the reduction in outlook would be limited from within this house as the rear windows would retain an outlook to both sides of the new building as is currently the case. The rear patio area would be more enclosed but it would retain an outlook beyond the proposed first floor element. The furthest extent of the patio benefits from direct sunlight from midday onwards and this would not be altered. Overall, the higher wall would not be unacceptably overbearing and would not result in harm to the living conditions of the residents of 10 The Wickets with regard to outlook.
7. The neighbouring residents have not raised a concern and it would appear that the distances involved satisfy the '12 metre code' set out in the council's Householder Design Guide Supplementary Planning Document 2012. The council have not confirmed the measurements put forward but given this particular layout, with the building straddling the boundary, the higher wall would not result in the building being overly dominant in these circumstances. Given the above, there would be no conflict with the amenity requirements of policy P10(ii) of the Core Strategy (as amended by the Core Strategy Selective Review 2019) or policies GP5 and BD5 of the Unitary Development Plan (Review 2006). There would also be no conflict with the National Planning Policy Framework which seeks a high standard of amenity for existing and future users.
8. In conclusion, the proposal would not result in unacceptable harm to the living conditions of neighbouring residents. As the details of the design are acceptable and there are no other matters that weigh significantly against the proposal, I allow the appeal.
9. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. A further condition would require that the materials match the existing to ensure that the development would have a satisfactory appearance.

Peter Eggleton

INSPECTOR