



Appeal Decision

Site visit made on 11 August 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 November 2025

Appeal Ref: APP/N4720/D/25/3364066

111 Hillcrest Rise, Leeds LS16 7DJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO).
 - The appeal is made by Mr Stefan Christie against the decision of Leeds City Council.
 - The application Ref is 25/01536/DHH.
 - The development proposed is 8m deep single-storey rear extension the full width of the host dwelling.
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Decision

1. The appeal is dismissed.

Application for Costs

2. In Part H of the Appeal Form the appellant confirms that they have not made a costs application with this appeal. However, this appeal is referred to in respect of a costs application for a separate appeal¹ on the same site, and I will consider this matter further in respect of that Costs Decision.

Preliminary Matters

3. The description of development in the heading above has been taken from the application form. In Part E of the appeal form it is stated that the description of development has changed and various suggested descriptions have been given. However, neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.
4. The appellant has requested that I consider this appeal on the basis of a reduced 4m extension. However, the proposal was submitted on the basis of it being a 'Larger Home Extension' and consultation with neighbouring residents was undertaken on the basis of an 8m extension. The 'Procedural Guide: Planning Appeals – England' also advises that an appeal should not be used to evolve a scheme. I have therefore proceeded to determine this appeal on the basis of the plans which were submitted with the application and which were considered by the Council and interested parties at the application stage.
5. I have considered 2 other appeals² on the same site. Although there may be some issues in common between these appeals and therefore some repetition in my

¹ Appeal Ref: APP/N4720/D/25/3368035

² Appeal Refs: APP/N4720/D/25/3365055 and APP/N4720/D/25/3368035

decisions, I have dealt with them as separate decisions due to the individual circumstances of each proposal.

6. In relation to this appeal and others on the site, it was requested that I view the appeal site from the neighbouring properties of 109 and 113 Hillcrest Rise, and I was able to do so on my visit.

Main Issue

7. The main issue is the impact of the proposed development on the amenity of any adjoining premises, with due regard to outlook, light and privacy.

Reasons

8. The appeal site is a detached dwelling with a long garden extending to the rear. Based on the submitted plans, the dwelling previously had a conservatory and garage both of which extended beyond the main rear elevation, although these have been demolished and did not extend as far to the rear as the appeal proposal.
9. Objections to the proposal have been received from residents of Nos 109 and 113. It is therefore necessary to consider the amenity of adjoining premises in accordance with the provisions of the GPDO.
10. The proposed extension would project a significant distance into the rear garden of the host property. Due to the degree of projection and proximity with the boundary of No 109, the proposal would appear as an obtrusive and overbearing feature in views from the neighbouring rear garden and the ground floor windows of rooms which face onto the extension. Similarly, the proposal would lead to unacceptable loss of light and overshadowing of No 109. These negative effects would be exacerbated due to the sloping topography of the rear gardens.
11. The proposal would be set further from the boundary with No 113, and I am mindful that the property previously had a garage to the side and rear which was located closer to the site boundary than the appeal proposal. However, even within that context, due to its projection and the sloping rear garden the proposed extension would be an overdominant feature in views from the rear of No 113, both in respect of outlook and loss of light to the garden and ground floor rooms to the rear. This harm would be exacerbated due to the relatively limited length of the rear garden of No 113 and the set back of the main rear elevation of the dwelling at No 113 compared to the projection of the appeal proposal.
12. The proposal would include windows on the side elevations which would introduce an intrusive degree of overlooking. However, these would be secondary windows as the extension would be served by large patio doors to the rear as well as roof lights. Concerns in respect of loss of privacy could therefore be addressed by conditions requiring the use of obscured glazing for the side windows or requiring their removal from the proposal.
13. Notwithstanding my conclusions in respect of privacy, the proposal would lead to significant harm to the living conditions of residents of Nos 109 and 113 due to loss of outlook and light. The proposal would therefore lead to significant harm to the amenity of these adjoining premises.

14. The proposal would therefore be contrary to the National Planning Policy Framework which seeks to secure a high standard of amenity. Insofar as they are relevant to this main issue, the proposal would conflict with the amenity considerations of Policy P10 of the Leeds Core Strategy 2014 as well as Saved Policy GP5 of the Leeds Unitary Development Plan Review 2006 (UDP). The proposal would also be contrary to the advice of the Householder Design Guide 2012 with regards to the protection of the amenity of neighbours.
15. The Council refers to Policy BD6 of the UDP. However, this Policy relates to matters of character and appearance rather than amenity, and is therefore not relevant to this main issue.

Other Matter

16. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits.

Conclusion

17. For the reasons given above the appeal should be dismissed.

David Cross

INSPECTOR