



Appeal Decision

Site visit made on 25 November 2025

by A Caines BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal Ref: APP/N4720/D/25/3374402

2 Oliver Hill, Horsforth, Leeds LS18 4JF

- 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 AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Paul McFadden against the decision of Leeds City Council.
 - The application Ref is 25/04431/DPD.
 - The development proposed is construction of additional storey to existing bungalow, using the principal footprint.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO) permits the enlargement of a dwellinghouse consisting of one storey by the construction of one additional storey, subject to various limitations and conditions. In light of the Council's refusal reasons, my assessment is confined to compliance with the materials requirement in paragraph AA.2(2)(a) and the effect on the external appearance of the dwellinghouse under paragraph AA.2(3)(a)(ii).
3. With the appeal, the appellant submitted revised plans showing the use of brickwork to match the existing dwelling, rather than render as originally proposed. While the amendment may appear minor, it directly affects compliance with AA.2(2)(a), one of the refusal reasons. The appeal process should not be used to evolve a scheme. Accepting revised plans at this stage would risk prejudicing interested parties who have not had the opportunity to comment. I have therefore determined the appeal on the basis of the plans considered by the Council.
4. The proposed plans include an annotation for a new raised terrace to the rear, described as "subject to separate planning application". For clarity, Class AA does not permit the construction of any veranda, balcony or raised platform. The terrace shown therefore falls outside the scope of this appeal and would require separate planning permission.

Main Issues

5. The main issues are: i) whether the proposal would comply with the limitations and conditions of Class AA, particularly the materials requirement in paragraph AA.2(2)(a); and ii) the effect on the external appearance of the dwellinghouse.

Reasons

Whether permitted development

6. Paragraph AA.2(2)(a) requires that the materials used in any exterior work must be of a similar appearance to those used in the construction of the existing dwellinghouse. While the application form states that the materials would match the original as closely as possible, including clay facing brick with some contrasting brick panels, the submitted plans indicate that the development would be finished predominantly in render. Render would not be of a similar appearance to the existing brickwork and, as such, the proposal would fail to comply with this requirement. Consequently, the development would not constitute permitted development under Class AA.
7. Although the proposal does not qualify as permitted development, I have addressed its external appearance for completeness.

External appearance

8. The locality comprises a mix of building types and scales, including dormer bungalows with steeply pitched roofs, conventional two-storey houses, and substantial four-storey blocks of flats, all of differing age, design and materials. The dwellings on the south side of Oliver Hill are mostly of two-storey height. Within this context, uniformity is not a prevailing characteristic. The immediate neighbour at No 4 incorporates a striking front extension with a contemporary design, further illustrating the diversity of built form. The appeal property is set away from the side boundary, sits below street level, and benefits from mature trees along the side and rear boundary, which provide a degree of screening. Taken together, these factors mean that the additional storey would not appear unduly dominant or intrusive at this corner position. Furthermore, the design would maintain coherent proportions and fenestration, ensuring a satisfactory composition overall.
9. On this issue, I conclude that the design would integrate satisfactorily and would not appear incongruous or harmful.

Conclusion

10. For the reasons given, the proposal fails to comply with paragraph AA.2(2)(a) of Class AA and therefore would not constitute permitted development. As prior approval cannot be granted for development that is not permitted by the GPDO, the appeal must be dismissed.

A Caines

INSPECTOR