



Appeal Decision

Site visit made on 5 December 2025

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 February 2026

Appeal Ref: APP/N4720/D/25/3374453

28 Knoll Wood Park, Horsforth, Leeds LS18 4SH

- 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 of McFadden Properties Ltd against the decision of Leeds City Council.
 - The application reference is 25/04432/DPD.
 - The development proposed is the erection of an additional storey to a bungalow over the original main footprint.
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Decision

1. The appeal is allowed and prior approval is granted for the erection of an additional storey to a bungalow over the original main footprint at 28 Knoll Wood Park, Horsforth, Leeds LS18 4SH in accordance with the terms of the application, reference 25/04432/DPD, and the plans submitted with it, subject to the conditions set out in Paragraph AA.2 of Schedule 2, Part 1, Class AA of the GPDO.

Background and Main Issue

2. Schedule 2, Part 1, Class AA of the GPDO permits development consisting of the enlargement of a dwellinghouse consisting of the construction of one additional storey, where the existing dwellinghouse consists of one storey, immediately above the topmost storey of the dwellinghouse, together with any engineering operations reasonably necessary for the purpose of that construction. While the principle of development is established by the provisions of the GPDO, it is subject to limitations and is contingent upon the grant of prior approval for a specific proposal.
3. The Council was satisfied that the proposed development complied with the limitations set out in Paragraph AA.1. Among the conditions set out in Paragraph AA.2 is the requirement to seek prior approval of various matters including, of greatest relevance in this appeal, the impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light.
4. Having taken account of the single reason for which the Council refused to grant prior approval, and all the other evidence before me (including representations made during the determination of the prior approval application) I consider the main issue to be whether or not prior approval should be granted, having particular regard to the amenity of No 26 and loss of light.

Reasons

5. The appeal property is a detached bungalow on the west side of Knoll Wood Park, with a pitched gable roof. There is a flat-roofed extension on the northern flank containing a garage in the front part, and with the dwelling's kitchen at the rear. The proposed development would see an additional storey built above the rectangular footprint of the main dwelling; the side garage/kitchen would not be enlarged. The overall height of the building would be increased by around 2.5m; the pitched gable roof form would be retained in the enlarged dwelling.
6. The neighbouring property No 26, also a detached bungalow, sits more or less due north of the appeal property. The local topography slopes gently down from the appeal site across No 26, so the appeal property is at a slightly higher elevation than its neighbour.
7. The creation of an additional storey on the appeal property would inevitably increase the size of the shadow which would be cast towards No 26. However, the enlarged part of the appeal property would (because of the side garage) be somewhere in the region of 4m from the common boundary, with at least another half metre from there to the side elevation of No 26. Furthermore, there are no windows in that side elevation; living rooms within No 26 are served by windows on the front and rear elevations. While there would be a degree of additional overshadowing of the rear of No 26, because of the separation distance (and even allowing for the change in ground levels) this would not lead to such a loss of light as to cause significant harm; it would not go beyond anything which might typically be expected where properties have a side-to-side relationship in a suburban area.
8. I am also satisfied that the scale of the proposed enlargement is such that it would not be harmfully dominant or otherwise overbearing when seen from within No 26 (though, in any event, only a small part of the north-west corner of the appeal property would be visible) or its rear garden.
9. I therefore conclude that the proposal would not cause significant harm to the amenity of neighbouring premises.

Conditions

10. Planning permission granted for development under Article 3(1) and Schedule 2, Part 1, Class AA of the GPDO is subject to conditions set out in paragraph AA.2. Sub-paragraph 2 specifies that:
 - The materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;
 - The development must not include a window in any wall or roof slope forming a side elevation of the dwelling house;
 - The roof pitch of the principal part of the dwellinghouse following the development must be the same as the roof pitch of the existing dwellinghouse; and
 - Following the development, the dwellinghouse must be used as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Sub-paragraph 3 sets other requirements, including that development must be completed within a period of three years from the date prior approval is granted.

11. While the Council suggested that conditions should be imposed in the event of my allowing the appeal, those they proposed duplicated the requirements of the GPDO in this case. I have not therefore imposed any additional conditions.

Conclusion

12. For the reasons given above the appeal is allowed and prior approval granted.

M Cryan

Inspector