

Appeal Decision

Site visit made on 28 February 2017

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 March 2017

Appeal Ref: APP/N4720/D/16/3161664

7-9 Daleside Avenue, Stanningley, Pudsey LS28 8HB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to planning permission.
 - The appeal is made by Mr T Lowry and Ms R Kaur against the decision of Leeds City Council.
 - The application Ref 16/03890/FU, dated 16 June 2016, was refused by notice dated 11 August 2016.
 - The development proposed is a flat roof to pitched roof conversion.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Although the planning application form and appeal form indicate that the address of the appeal site is 9 Daleside Avenue, it is evident from the plans and my observations on site that the proposal relates to 7-9 Daleside Avenue. The appellants have confirmed that this is the case and I have therefore used that address above.

Main Issues

3. The main issue is the effect on the character and appearance of the area.

Reasons

4. The appeal properties are a pair of two storey flat roof residential dwellings set within a street of properties which are mostly of similar design and appearance. The properties are in a prominent location within the street scene with open frontages. The uniformity of the design and appearance of the flat roof houses form visual consistency and a strong and distinct character.
 5. With the exception of a few flat roof dwellings on Daleside Road, Daleside Avenue differs from other residential streets in the area which mainly comprise two storey pitched roof semi-detached houses. I observed on site that close to the corner of Daleside Avenue and Daleside Road a pair of semi-detached dwellings have added pitched roofs. Nonetheless, there remains a strong visual presence and consistency created by the flat roofs which give a unique and strong design and character which should be respected.
 6. I note that the previously approved pitched roofs on 17 Daleside Road and
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1 Daleside Avenue were approved in July 2010 before the adoption of the Leeds Core Strategy in November 2014 (the CS) and the Householder Design Guide Supplementary Planning Document in April 2012 (the HDGSPD). Also, the pitched roof on these properties is adjacent to pitched roof properties along Daleside Road.

7. Although the appearance of the appeal properties and the street is rather unusual, the proposed pitched roofs would erode the consistent appearance of the dwellings and the street scene generally and therefore harm the character and appearance of the locality by compromising the uniqueness of this residential street within the wider residential surroundings.
8. I therefore conclude that the proposal would have a harmful effect on the character and appearance of the area. As such it is contrary to the provisions of Policy P10 of the CS and saved Policies GP5 and BD6 of the Leeds Unitary Development Plan Review 2006 (Adopted July 2006), which require new development to be based on a thorough contextual analysis and provide good design appropriate to its location and respect the form and detailing of the original building. Furthermore, according to the HDGSPD particular attention should be paid to the roof form and roof line, among other considerations.

Other matters

9. I understand from the appellant that the roof structure has caused problems, including roof collapse and is linked to water ingress into properties, causing damp. I also note that the appellant claims that the roof structure has led to health problems. Although I sympathise with the problems these circumstances do not outweigh the harm I have found regarding character and appearance and the conflict with the development plan.
10. I also acknowledge that the appellant considers that the proposal is a cost-effective, practical and permanent solution to the problems experienced. However, these do not outweigh the harm I have identified. The fact that there is a lack of objections from local residents and others may also wish to carry out similar alterations do not weigh in favour of this current appeal. In any case I have determined the current appeal on its own merits.

Conclusion

11. For the above reasons and taking account of other matters raised I conclude that the appeal should be dismissed.

Alastair Phillips

INSPECTOR