



Appeal Decision

Site visit made on 30 March 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th April 2022

Appeal Ref: APP/N4720/D/22/3292106

2 Kingsley Avenue, Adel, Leeds LS16 7NY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Glyn Williams (Tice & Co Architects) against the decision of Leeds City Council.
 - The application Ref 21/08957/FU, dated 31 October 2021, was refused by notice dated 1 February 2022.
 - The development proposed is alterations involving raised roof ridge and dormer window to rear.
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Decision

1. The appeal is allowed and planning permission is granted for alterations involving raised roof ridge and dormer window to rear at 2 Kingsley Avenue, Adel, Leeds LS16 7NY in accordance with the terms of the application, Ref 21/08957/FU, dated 31 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg No: 001; 002; 003; 004; 005; and 006.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. In Part E of the appeal form it is stated that the description of the development has not changed. However, the wording from the Council's decision notice has been entered rather than that from the application form. 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 Council's decision notice rather than the longer wording given on the application form.

Main Issue

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

Reasons

4. The appeal property is a detached dwelling located on a residential street containing a mixture of semi-detached and detached houses. To the north on the eastern side of the street are three pairs of semi-detached dwellings with a consistent design. To the south, the neighbouring property is orientated to front Holt Lane. Immediately opposite the site lies the rear garden of the other corner property which also faces Holt Lane. This property is also bordered by a pair of semi-detached dwellings to its north. With this context, the appeal property is distinct in style to its immediate neighbouring properties.
5. The proposal would increase the ridgeline of the appeal property. However, the existing ridgeline is lower than the neighbouring dwellings and, as such, the proposed increase of 0.9m would not be unduly dominant. Given the distinctive nature of the host property in its design and positioning near the entrance to the street, raising the ridge height by a small amount would not, on this particular property, set a precedent for other dwellings in the street.
6. The loss of the flat roof element to the front would be a small benefit bringing a simpler cohesive appearance to the front roof structure. The rear flat roof dormer would be a large box like structure and would be prominent to the rear. However, the host property is a large, detached dwelling and the proposed dormer would be set in from all sides leaving parts of the roof slope exposed. In this context it would not appear unduly obtrusive or excessive in scale in relation to the host property, even though it would be a prominent feature on the roof. Moreover, large box like dormers do form part of the existing character to the rear of neighbouring properties and in this regard, it would not appear incongruous on the slope.
7. I therefore conclude that the proposal would not harm the character and appearance of the surrounding area. As such, I find no conflict with the requirements of Policies GP5 and BD6 of the Council's Unitary Development Plan (2006), Policy P10 of the Council's Core Strategy (2019) or Policy HDG1 of the Householder Design Guide. These stipulate, amongst other things, that proposals will be supported where the size, scale, design and layout of the development is appropriate to its context and respects the character and quality of surrounding buildings; the streets and spaces that make up the public realm and the wider locality.
8. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development is carried out in accordance with them as this provides certainty. To ensure the satisfactory appearance of the development, a condition is attached to require that the external materials match those of the existing building, as proposed.
9. For the reasons set out above and having regard to all matters raised, I conclude that the appeal should be allowed.

Mr R Walker

INSPECTOR