



Appeal Decision

Site visit made on 10 May 2022

by A Caines BSc(Hons) MScTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2022

Appeal Ref: APP/N4720/D/22/3296328

15 Oaklands Avenue, Adel, Leeds LS16 8NR

- 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 M Rizig against the decision of Leeds City Council.
 - The application Ref 21/09004/FU, dated 30 October 2021, was refused by notice dated 12 January 2022.
 - The development proposed is garage conversion & 1st floor extension.
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Decision

1. The appeal is allowed and planning permission is granted for garage conversion & 1st floor extension at 15 Oaklands Avenue, Adel, Leeds LS16 8NR in accordance with the terms of the application, Ref 21/09004/FU, dated 30 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: Location Plan; Proposed Plans 003; Proposed Plans 004.
 - 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.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and surrounding area.

Reasons

3. The appeal site is located within a planned residential estate characterised by a wide variety of detached houses arranged irregularly along sweeping streets in a predominantly open plan setting. 15 Oaklands Avenue is a large two-storey house with a projecting front gable that drops down to an attached single-storey double garage. The disputed element of the proposal involves the construction of an extension with dormers above the garage.
4. The Council's Householder Design Guide Supplementary Planning Document (2012) (the SPD) warns that two-storey front extensions are often difficult to accommodate due to the fact that the front of the house is the most visible and prominent part of the dwelling. However, the SPD goes on to advise that two-storey front extensions may be acceptable in cases where: the house is well set back from the front boundary; there is a lack of uniformity within the

street scene; and the proposal will not harm the character of the locality. More generally, the SPD also requires that extensions are subordinate and in keeping with the original house.

5. It is inevitable that the proposed extension would be prominent in the street scene due to its position at the front of the house. However, the existing garage is set back from the road by around 7 to 8 metres. Using the garage as the basis for extension means that the separation to the front boundary and the open plan character would be unaltered. In addition, the ridge height of the extension would continue from the existing first floor gable, which is already set down appreciably below the ridge of the main roof. With the use of matching materials and detailing, the extension would be subordinate and in keeping with the host property.
6. Furthermore, it is notable that most properties throughout the estate have some form of front projection. Dormer accommodation above garages is also a common feature, despite the Council's officer report suggesting otherwise. The examples I observed at 1 Oaklands Drive and 1 Oaklands Grove are particularly notable for their similarities to the appeal scheme and their prominence in the street scene. Even if the extension at 1 Oaklands Drive predates the current SPD, it is still an established form of development which influences the character and appearance of the area. It is also notable that within Oaklands Avenue properties such as Nos 2, 6, 8, 17, 23, and 25, all present either a front or side elevation much closer to the road. Thus, in a context where the lack of uniformity in house design and building lines is an essential part of the distinctive character, and given similar forms of development already exist, the proposal would not stand out as an incongruous or intrusive addition.
7. I therefore conclude that the development would not be harmful to the character or appearance of the host property and surrounding area, and as a result, complies with the design principles of Policy P10 of the Leeds City Council Core Strategy (as amended by the Core Strategy Selective Review 2019), saved Policies GP5 and BD6 of the Leeds City Council Unitary Development Plan (Review 2006), and policy HDG1 of the SPD. Amongst other things, these require development, including extensions, to be well designed, and to respect the scale, form and features of the original building and the character of its surroundings.

Conditions

8. I have imposed the standard commencement and approved plans conditions for certainty. A condition requiring the external materials to match the existing building would ensure a satisfactory appearance of the development.

Conclusion

9. For the reasons given, I conclude that the appeal should succeed.

A Caines

INSPECTOR