
Appeal Decision

Site visit made on 7 August 2023

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th September 2023

Appeal Ref: APP/N4720/D/23/3322022

8 Holman Avenue, Garforth, Leeds LS25 1HU

- 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 Desmond Berry against the decision of Leeds City Council.
 - The application Ref 23/00055/FU, dated 3 January 2023, was refused by notice dated 20 February 2023.
 - The development proposed is a hip to gable conversion & rear dormer window.
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Decision

1. The appeal is allowed. Planning permission is granted for a hip to gable conversion & rear dormer window at 8 Holman Avenue, Garforth, Leeds LS25 1HU in accordance with the terms of the application Ref 23/00055/FU dated 3 January 2023 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan & 2022/24/01.

Procedural Matter

2. The description of the proposal has changed from the application form to the decision notice. That on the application form adequately describes the proposal and I have determined the appeal on that basis. I acknowledge that the rear dormer window would enable rooms within the roof space and the insertion of skylight windows to the front.

Main Issue

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

Reasons

4. The appeal property sits tucked away close to the head of a quiet cul-de-sac within a largely residential part of Garforth. There is a well sized garden to the

rear and various planting within the rear garden. Given the nature of the rear of the site, the dwelling is not prominent in views from other property. It also has very limited visibility from the Linesway green corridor which runs by a short distance to the south because of the tall and robust boundary treatment.

5. Although the hipped roof form is common, its use is not exclusive within the immediate area. A gabled roof has been utilised on the opposing 7 Holman Avenue (No.7), both No. 9 and No. 10 Holman Avenue at the head of the cul-de-sac are fitted with gable roofs, while this roof design is also employed on the garage to the side of No.2 Holman Avenue.
6. There would be a slight imbalance between the appeal property and its adjoined neighbouring dwelling at No. 6 Holman Avenue as a result of the provision of the gabled roof, but in another sense, this would restore some wider balance to the street and mirror up with the gabled roof opposite at No.7.
7. I accept that the rear dormer window would be rather large and would dominate the rear roof slope. However, it would be set in from the sides of the dwelling, set slightly below the ridge and set up from the eaves.
8. Nonetheless it is clear that there would be conflict with the SPD¹ guidance in relation to dormer windows as identified by the Council. However, the rear dormer window would have very limited visibility from any public area and would not be especially prominent in private views.
9. Therefore, taking account of the very specific characteristics of this particular location, neither the hip to gable conversion, nor the rear dormer window would ultimately cause any harm to the character and appearance of the dwelling or area.
10. The proposal would not therefore conflict with Policy P10 of the Core Strategy Selective Review (2019) which amongst other things requires that development respects the character and quality of an area. Further, the proposal would not conflict with Policies GP5 and BD6 of the Leeds Unitary Development Plan (2006) which amongst other things require resolution on design issues and that alterations and extensions respect the scale, form, detailing and materials of the original building.
11. The proposal would not conflict with Policy HDG1 of the SPD which requires that extensions, additions and alterations respect the scale, form, proportions, character and appearance of the main dwelling and locality.

Conditions

12. Planning permission is granted subject to the standard three year time limit. It is necessary that the development be carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. It is also necessary that the materials to be used in the construction of the external surfaces of the development hereby permitted should match those used in the existing building.

¹ Leeds City Council Householder Design Guide Supplementary Planning Document April 2012.

Conclusion

13. I have identified some conflict with the SPG, but particular considerations indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR