



Appeal Decision

Site visit made on 15 March 2024

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 May 2024

Appeal Ref: APP/N4720/D/23/3335923

6 Beech Avenue, Gipton, Leeds LS8 3AW

- 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 James Ogbemor against the decision of Leeds City Council.
 - The application Ref 23/04292/FU, dated 11 July 2023, was refused by notice dated 2 October 2023.
 - The development proposed is a rear dormer extension.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The development has been carried out. There are some slight differences between the fenestration shown on the drawings and what has been implemented and I have therefore determined the appeal on the basis of what I saw when I visited the site.

Main Issue

3. The main issue raised by this appeal is the effect the development has on the character and appearance of the host building and the area.

Reasons

4. Beech Avenue and Beech Grove are residential cul-des-sac streets characterised by small groups of similarly designed houses. The rear of No 6 is visible between surrounding buildings from Beech Grove such that the rear dormer is quite noticeable in the vicinity.
5. The dormer occupies almost all of the rear roof slope of the property leaving very little of the sloping roof evident. The dark coloured flush tile cladding exaggerates its bulk and appears in harmful contrast to the adjoining roof with its smaller, lighter coloured tiles which display more texture due to their thickness and overlap.
6. Its proximity to the gable end of the building, leaving only a very limited area of roof along the verge, makes its uncompromising shape and size more apparent. The two small windows do little to enliven the appearance of the structure given the large blank expanse of cladding below. The slightly larger windows shown on the drawings would not materially improve this aspect as those too would be offset from the rear windows below them and would also be set within a blank and expansive area of cladding.

7. This combination of its size, materials and appearance make it appear as an ill-proportioned addition to the roof of the host building and an incongruous feature in the roofscape of the estate. Consequently, it has a harmful effect on the character and appearance of the host building and the area.
8. It is of note that there is another box type dormer nearby at 2 Beech Avenue which was allowed at appeal¹. However, that dormer is set adjacent to a gable roof which partly conceals it in some views. It is clad in tiles similar to those used on the roofs, giving it a colour and texture that visually assimilates more harmoniously with the roofscape. Its windows are of a size and position in the rear elevation that give it more pleasing proportions. These aspects distinguish that dormer from the one at No 6. That dormer's acceptability and presence have not created the circumstances or built context which would markedly reduce the adverse effects of the appeal dormer.
9. Similarly, the properties on Beech Grove which have dormer type accommodation set within their roof slopes were clearly part of their overall design. Those features continue vertically from the front elevations and occupy a much smaller area of the roof slope in which they are set than the appeal dormer, giving a very different visual effect on the area. Again, this established aspect of the estate's character and appearance does not render the dormer at No 6 any less harmful.
10. Although the appellant makes reference to permitted development rights for dormers, I note that such rights were withdrawn when permission was granted for the housing estate. Therefore such a notional fallback position does not exist and does not carry any material weight in support of the scheme.
11. The development is contrary to Core Strategy² Policy P10 and UDP³ Policies GP5 and BD6. Together, and amongst other criteria, they require high quality design where size and scale are appropriate to context, and development respects the character of surrounding buildings with extensions respecting the form, detailing and materials of the original building. For the same reasons it does not accord with the guidance in Policy HG1 of the Council's Householder Design Guide⁴ and it has not created the visually attractive, high quality and beautiful building or place sought by the National Planning Policy Framework (the Framework).
12. The absence of a harmful effect on neighbours' living conditions is a neutral consideration and does not weigh in favour of the appeal.
13. The development has harmed the character and appearance of the host building and the area, contrary to the development plan considered as a whole, Council guidance and the Framework. The appeal is therefore dismissed.

Geoff Underwood

INSPECTOR

¹ APP/N4720/D/23/3318172.

² Core Strategy (as amended by the Core Strategy Selective Review 2019) - Leeds Local Plan, 2019.

³ Leeds Unitary Development Plan (Review 2006) (UDP).

⁴ Householder Design Guide - Leeds Local Development Framework - Supplementary Planning Document, 2012.