



Appeal Decision

Site visit made on 22 July 2024

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th August 2024

Appeal Ref: APP/N4720/D/24/3347538

70 Oxford Drive, Kippax, Leeds, LS25 7JD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Daniel Johnson against the decision of Leeds City Council.
 - The application Ref is 23/07536/FU.
 - The development proposed is described as "rendering to the full front elevation in KREND scraped texture top coat in white".
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Decision

1. The appeal is allowed and planning permission is granted for rendering the external wall to the front at 70 Oxford Drive, Leeds, LS25 7JD in accordance with the terms of the application, Ref 23/07536/FU, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following plans: Site Location Plan; Block Plan; and Proposed Elevations.

Procedural Matters

2. The detailed description given on the application form is as used in the banner heading above, but in my formal decision I have used the more succinct description as given on the decision notice and appeal form.
3. The rendering of the front elevation has already been undertaken and I have determined the appeal on this basis.
4. The appellant has suggested that the rendering of the front elevation could be permitted development. However, whether this is the case or not is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to apply to the Council to have the matter determined under sections 191 or 192 of the Act. Any such application would be unaffected by my determination of this appeal.
5. The appellant has raised concerns regarding the length of time the Council took to determine the planning application. This is a matter that would need to be taken up with the Council in the first instance and in determining the appeal I have only had regard to the planning merits of the case.

Main Issue

6. The main issue in the appeal is the effect of the development on the character and appearance of the area.

Reasons

7. The appeal property is a semi-detached dwelling that has been previously extended by way of a 2 storey flat roof side extension, whereas the adjoining house has a single storey side extension. Both of the properties originally only had an area of rendering between the main ground floor and first floor window. The appeal scheme results in the full front elevation of the host property, including the front elevation of the side extension, being rendered.
8. The other houses in the vicinity are of a similar type, design and age. All of them have at least some render on the front elevation: some just between the main ground and first floor windows; others for the full first floor level. Many of the dwellings have been extended in a variety of ways including single storey and two storey side extensions and front porches of varying designs. Some of the two storey extensions include render at first floor level, but others do not. As a result of these various extensions many of the pairs of semi-detached houses appear 'unbalanced', and this is now part of the character and appearance of the area.
9. Whilst render at ground floor level is not found on other houses in the immediate area, the rendering on the appeal property is not a prominent feature in the street scene. Due to the curvature of the road, and vegetation in various front gardens, when travelling in either direction, whether by car or on foot, the house is only visible in short range views. Moreover, given that the render does not project forward from the front elevation and is part of the palette of materials found in the area, it does not specifically draw the eye or appear as a dominant, alien or incongruous feature.
10. Although the pair of houses of which the host property is a part appear unbalanced to a certain degree, this, in my opinion, is as a result of the 2 storey side extension and canopy over the front door and ground floor window on the extension rather than because of the differing amounts of render on the front elevation. To this end, they appear no more unbalanced than many of the other pairs of houses in the locality.
11. Consequently, I consider the appeal scheme does not adversely harm the character and appearance of the area. Accordingly, there is no conflict with Policy P10 of the *Leeds Core Strategy (as amended by the Core Strategy Selective Review) (adopted September 2019)*, Policies GP5 and BD6 of the *Leeds Unitary Development Plan (Review 2006) (adopted July 2006)* and Policy BE1 of the *Kippax Neighbourhood Plan (March 2019)* which seek to ensure that developments respect the character and appearance of the area, resolve detailed design considerations, and respect the scale, style, form, detailing and materials of the original building and buildings in the vicinity. Nor would it be contrary to Policy HDG1 of the *Householder Design Guide (adopted April 2012)* which requires alterations and extensions to respect the character and appearance of the main dwelling and the locality.
12. For the reasons set out above, I conclude the appeal should be allowed. Other than a condition defining the plans with which the scheme should accord, which is required for certainty, I consider no other conditions are necessary.

Alison Partington

INSPECTOR