



Appeal Decision

Site visit made on 9 July 2024 by J Reed MPlan

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2024

Appeal Ref: APP/N4720/D/24/3346041

5 Red Hall Avenue, Shadwell, Leeds, LS17 8NQ

- 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 Hamza Hamad against the decision of Leeds City Council.
 - The application Ref is 24/01685/FU.
 - The development proposed is a part single storey / part two storey side extension, first floor rear extension and part retrospective application for render to the existing dwellinghouse and proposed extensions.
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Decision

1. The appeal is allowed and planning permission is granted for a part single storey / part two storey side extension, first floor rear extension and render to the existing dwellinghouse and proposed extensions; at 5 Red Hall Avenue, Leeds, LS17 8NQ in accordance with the terms of the application, Ref 24/01685/FU, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin no 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:

Site Location Plan 523/02 (02) 001B

Proposed Elevations and Floor Plans 523/02 (02) 015A

Proposed floor plan(s) 523/02 (02) 016C

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the appeal property and its surrounding area.

Reasons for the Recommendation

4. The appeal property is a two-storey semi-detached dwelling. The façade of the property has been partly rendered prior to the submission of the planning application this appeal relates to. However, before this it was a mixture of red

brick, brickwork painted white at ground floor level, and red hung tiles to the first floor. The property is situated towards the entrance of a cul-de-sac of residential properties that are both semi-detached and detached two storey dwellings.

5. The attached neighbouring property to the appeal site is of a similar configuration to the earlier appearance of the appeal property with materials of red brick and red tiles to the first floor. On the opposite side is a two-storey detached dwelling clad in white render with a stone porch. The dwellings further into the cul-de-sac display a variety of configurations and materials of either red brick, white render or a combination of both.
6. There is a clear consistency and harmony of a material palette within the street scene with white render in particular a clear design feature present. I observed on my site visit that whilst there was a variation of materials present on Red Hall Avenue, red brick and white render were the dominant external finishes. As a result, the rendering of the appeal site would not result in a harmful contrast to the character of the area with the appeal site assimilating with the surrounding rendered properties particularly those across the road and next door. The dwelling would not appear incongruous as a result.
7. The Local Planning Authority (LPA) state in the officer's report that the render would 'unbalance' the appeal property and semi-detached neighbouring property. However, whilst I acknowledge the LPAs argument and I accept that there would be a visual contrast within the semi-detached pair, I am not persuaded that given the variety of materials within the street that this would in itself be harmful. The properties would continue to be viewed as part of a pair, although they are nevertheless also both read as separate entities given the various extensions and alterations previously undertaken.
8. I have also had regard to and accept that the contended fallback position, allowing the existing brickwork to be painted white without the need for planning permission, would be realistic and therefore a material consideration which must attract significant weight. I am mindful that the result of such alternate works would present a similar visual contrast to what is proposed, and I find that this therefore lends additional weight to my conclusion.
9. There is no dispute between the parties regarding the acceptability of the proposed part single storey part two storey side extension nor the proposed first floor rear extension, and I see no reason to disagree with this conclusion.
10. However, for the reasons as set out, I am satisfied that the proposed render would not result in harm to the character and appearance of the host property nor the surrounding area and as a result satisfies the requirements of policy P10 of the Core Strategy (2019) and policies GP5 and BD6 of the saved Unitary Development Plan Review (2006) which mutually seek to ensure new development is appropriate within its locality.

Conclusion and Recommendation

11. For the reasons given above the appeal should be allowed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the conditions as listed.

Martin Seaton

INSPECTOR