



Appeal Decision

Site visit made on 1 April 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 21 May 2025

Appeal Ref: APP/N4720/D/24/3356634

10 Blackwood Avenue, Cookridge, Leeds LS16 7BN

- 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 Mark Sellars against the decision of Leeds City Council.
 - The application Ref is 24/04637/FU.
 - The development proposed is a two-storey side extension, new lean-to over porch and existing garage to be demolished.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged the National Planning Policy Framework (the Framework) has been revised. I am satisfied there are no changes of any consequence for the main issues in this appeal.

Main Issue

3. The effect of the proposed development on the character and appearance of the site and the surrounding area.

Reasons

4. The appeal property is a detached dwelling located in a residential area where properties are typically set back on their plots, surrounded by modest gardens and with parking areas to the front or side. Properties in the area are predominantly of a similar style and period except for Nos 10, 11 and 12 Blackwood Gardens which are accessed from a private drive at the end of Blackwood Gardens. This group of properties is a more recent phase of development that use a different palette of materials and design.
5. Blackwood Avenue is laid out on rising ground from the junction with Tinshill Lane. The appeal property occupies an elevated and prominent corner plot at the junction of Blackwood Avenue and Blackwood Gardens. The front elevation faces onto Blackwood Avenue and the side elevation faces onto Blackwood Gardens, with parking and a garage to the rear accessed from Blackwood Gardens. The front and side garden spaces are laid to lawn and are open to the footway and road in keeping with several other properties in the area.
6. The front elevation of the appeal property aligns with the front elevations of Nos 6, 8 and 12 Blackwood Avenue. These 4 properties are of similar design and form a

distinct group along a building line that contributes positively to the character and appearance of the area.

7. Nos 6 and 8 are located to one side of the junction with Blackwood Gardens mirroring the appeal property and No 12 to the other side. As such, the 4 dwellings also bracket the entrance to Blackwood Gardens. While the appearance of No 8 has been altered by the addition of a single-storey side extension, the original symmetrical arrangement of the 4 properties either side of the entrance to Blackwood Gardens remains largely intact and a prominent element of the street scene. The predominantly open frontages and lack of screening vegetation to the front of these 4 properties increases their prominence and balanced arrangement when seen from Blackwood Avenue and Blackwood Gardens.
8. The side elevation of the appeal property, and front of the existing garage to the rear, align with the front elevations of Nos 1, 3, 5, 7 and 9 Blackwood Gardens, which form another distinct group of detached dwellings of similar design. As such, the appeal property is part of a second clearly defined building line that also contributes positively to the character and appearance of the area.
9. The proposed development would extend the host property to the front and side. The projection to the front would be at ground floor only, while the extension to the side would be two storeys in height and would occupy much of the open space within which the property is experienced. The proposed extension to the front elevation of the appeal property would disrupt the distinct building line along Blackwood Avenue. Furthermore, the proposed alterations to the appearance of the appeal property would harm the complementary and balanced arrangement of dwellings either side of the junction with Blackwood Gardens. This would have a significant and harmful effect on the character and appearance of the area.
10. The appeal property is close enough to No 1 Blackwood Gardens that its side elevation forms a continuous building line with that property's front elevation. Based on my site visit I do not find this to be the case. Moreover, the space separating the 2 houses is currently occupied by the garage to the appeal property, which is proposed to be demolished. As described above, the front elevation of the garage, along with the side elevation of the appeal property, forms part of the building line on Blackwood Gardens. Therefore, both the proposed two-storey side extension and demolition of the existing garage would disrupt and erode, respectively, the established building line and have a harmful effect on the character and appearance of the area.
11. The appellant suggests that, as the proposed side extension is set back from the front elevation of the host property, an appearance of openness would be retained. However, this would not preserve the openness to both sides of the appeal property and, at best, would only help to maintain the building line along Blackwood Avenue.
12. The appellant also suggests that the proposed development would have the effect of 'bookending' the street scene along Blackwood Gardens when seen in conjunction with No 11. As mentioned above, No 11 is from a more recent phase of development and is different from other houses along that side of the street, including the appeal property as existing or as proposed. The distance between the appeal property and No 11 is such that the 2 properties are not perceived as a pair, more so, given the difference in design and materials used. The appellant also

argues that the effect of the proposed side extension on the building line along Blackwood Gardens could reflect the stepped pattern of development on the opposite side of the street. However, that stepped alignment is not the context within which the appeal property was designed or is experienced.

13. Taking all the above into account, I conclude that the proposed development would result in a harmful effect on the character and appearance of the site and surrounding area. Hence, it would conflict with Policies GP5 and BD6 of the Leeds Unitary Development Plan, 2006, and Policy P10 of the Leeds City Council Core Strategy, 2019, which seek, among other things, that extensions should respect the scale and form of the original building and that development should respect the character and quality of surrounding buildings, streets and spaces.

Other Matters

14. The appellant has pointed to examples of dwellings within the vicinity that have been altered or extended so that they depart from or extend beyond an identifiable building line. In the case of 182 Tinshill Lane, the dwelling is similarly located on a corner plot that terminates a row of houses running along that street. Unlike the appeal site it is not mirrored by a similar dwelling on the other side of the entrance to Blackwood Avenue. The original two-storey end gable of No 182 would have aligned with the single-storey front elevation of 2 Blackwood Avenue. This difference in height and great separation between the 2 would have resulted in a less clearly defined building line. Given these differences I find the extension to No 182 is not directly comparable with the appeal.
15. The example of 8 Blackwood Avenue, noted above, differs appreciably in scale being only a single-storey extension. As such, the original building lines along both Blackwood Avenue and Blackwood Gardens are retained at first floor level. With regard to the example of 1 Blackwood Avenue, the original end gable elevation does not appear to have formed part of building line along Tinshill Lane. Also, the extension to No 1 is stepped back from the front elevation and therefore does not disrupt the building line seen along Blackwood Avenue. Lastly, I have addressed the differences between the appeal development and 11 Blackwood Gardens above.
16. The appellant expresses the opinion that the Council has taken a flexible approach to the application of policies within the development plan. Notwithstanding the above, the issue of whether the policies were correctly applied at the time of the decision being taken is not determinative to this appeal. I must determine the current appeal against relevant policies and based on its individual circumstances and merits, and I have found that the proposals would result in an unacceptable effect on the character and appearance of the appeal property and surrounding area.
17. As such, I find the examples presented to me are not directly comparable to or occur within the same context as the appeal development before me. Accordingly, I have afforded these examples limited weight that does not outweigh the harm I have found.
18. I note the appellant's reference to the Framework with regard to the presumption in favour of sustainable development. However, paragraph 131 of the Framework confirms that good design is a key aspect of sustainable development, and the appeal proposal falls short in this respect.

Conclusion

19. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

C Mayes

INSPECTOR