
Appeal Decision

Site visit made on 16 May 2017

by I Jenkins BSc CEng MICE MCIWEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2017

Appeal Ref: APP/N4720/D/17/3168225

45 Carr Manor View, Moortown, Leeds, LS17 5AG

- 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 Rafiq against the decision of Leeds City Council.
 - The application Ref 16/07041/FU, dated 10 November 2016, was refused by notice dated 5 January 2017.
 - The proposed development is gable extension to both sides and dormer windows to the rear.
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Decision

1. The appeal is allowed and planning permission is granted for gable extension to both sides and dormer windows to the rear at 45 Carr Manor View, Moortown, Leeds, LS17 5AG in accordance with the terms of the application, Ref. 16/07041/FU, dated 10 November 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: P02 revision A; and, P03 revision A.
 - 3) The materials used in the external surfaces of the extension hereby permitted shall match those used in the external surfaces of the existing dwelling.

Procedural matters

2. In his appeal submissions, the appellant has confirmed that the description of the proposed development given on the planning application, which was '*internal alterations including loft conversion with dormer window to the rear*', was changed with the agreement of the Council prior to its determination of the planning application. The agreed revised description was '*gable extension to both sides and dormer window to the rear*'. However, it is clear from the plans and the Council's Delegation Report that the revised scheme includes 2 rear dormer windows. I have taken this into account and have used the following revised description in the interests of clarity: '*gable extension to both sides and dormer windows to the rear*'.

Main Issue

3. I consider that the main issue in this case is the effect of the proposal on the character and appearance of No. 45 and the street scene.
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Reasons

4. No. 45 is a detached house with a hipped roof, which is situated on a corner site, at the junction of Carr Manor View with Carr Manor Grove. The proposal involves the extension of the side walls of the dwelling to form gables and the replacement of the hipped roof form with a pitched roof. The rear roof slope of the dwelling would include 2 new dormer windows.
5. The angle of the front and rear roof slopes of the proposed roof and its height would be similar to those of the existing hipped roof. Furthermore, the proposed dormers would be: set in from the sides of the house; set apart from one another; as well as, set down from the ridge level and up from the eaves level, such that a reasonable area of the rear roof slope would remain. In addition, they would be symmetrically positioned above the central first floor rear window. Vantage points from which the rear elevation of the extended property would be visible would be limited, due to the proximity of neighbouring dwellings. When seen from those vantage points the proposal would not appear unduly dominant. Whilst the street scene is predominantly characterised by hipped roof dwellings, there are a number of houses with pitched roofs and side walls that extend above eaves level. Furthermore, flat roofed rear dormers can already be seen elsewhere in the street scene. In this context, I consider that the proposed pitched roof with rear dormers would be sufficiently in keeping with the scale, form, proportions, character and appearance of the main dwelling and the locality to be acceptable, in keeping with the requirements of Policy HDG1 of the Council's *Supplementary Planning Document-Householder Design Guide, 2012* (SPD) and Policy BD6 of the *Leeds Unitary Development Plan (Review 2006)* (UDP).
6. I conclude that the effect of the proposal on the character and appearance of No. 45 and the street scene would be acceptable and it would not conflict with Policy P10 of the *Leeds City Council Core Strategy, 2014* (CS) or UDP Policy BD6, which seek to promote good design in keeping with the aims of the National Planning Policy Framework (the Framework).

Other matters

7. The proposed rear dormers would provide views over parts of the rear gardens of a number of neighbouring properties, which are relatively closely spaced. However, based on what I saw, I consider it likely that those garden areas can already be overlooked from neighbouring rear windows. The proposal would be unlikely to have a material detrimental effect on the privacy of neighbouring residents, in keeping with the requirements of CS Policy P10 and the Framework insofar as it seeks to secure a good standard of amenity for existing and future occupants of land and buildings.
8. By providing additional accommodation within the new roof space, the proposal would make more efficient use of the site in housing terms, in keeping with the aims of the Framework.

Conditions

9. The Council has suggested 3 conditions which it considers should be imposed in the event of planning permission being granted. In addition to the normal commencement condition, a condition would be necessary, in the interests of clarity, to ensure that the works would be carried out in accordance with the

approved plans. A condition would also be necessary, in the interests of visual amenity, to control the materials used in the external surfaces of the proposed development.

Conclusions

10. I conclude on balance, that the proposal would amount to sustainable development under the terms of the Framework and it would accord with the Development Plan. For the reasons given above, I conclude that the appeal should be allowed.

I Jenkins

INSPECTOR