



Appeal Decision

Site Visit made on 14 September 2021

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 September 2021

Appeal Ref: APP/N4720/D/21/3279749

45 The Oval, Otley LS21 2ED

- 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 Phillip Weatherill against the decision of Leeds City Council.
 - The application Ref 21/00156/FU, dated 16 December 2020, was refused by notice dated 17 May 2021.
 - The development proposed is retrospective application for dormer window to rear and solar panels to front and side; new chimney to side.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the description of development that is common to the appeal form and Council's decision notice as it is more accurate than the description on the application form.
3. As it is clear that the application has been submitted retrospectively, I have considered the appeal on that basis.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host dwelling and surrounding area.

Reasons

5. From the information before me it appears that the Council has previously granted planning permission for a rear dormer window. However, the Council states that what has subsequently been constructed is wider, higher and has a different roof design. As such, I have considered the appeal scheme on its own individual merits.
6. The constructed dormer is a wide and bulky structure with an overall height which exceeds the ridge line of the main roof, thereby resulting in a top-heavy addition. Its form does not reflect the proportions and detailing of the existing building. The awkward upward slope of the dormer and large double doors at attic level further exacerbates the incongruousness of the development. These harmful effects are not mitigated by its cladding in similar materials to the roof.
7. The upper part of the dormer is visible from The Oval. From the rear it is highly visible from a footpath behind the property, as well as from Weston Ridge and St Martins Field. In all these views, the dormer appears as a visually discordant element in an area where large, bulky dormers are not a characteristic feature.

8. The appellant claims that the changes are due to Building Regulation requirements and that significant improvements have been made to the insulation of the property. I have also noted the personal family circumstances of the appellant. However, these are not considerations which justify the harmful effects of the development. Furthermore, the height of other buildings in the area has no bearing on my assessment of the individual merits of the proposed dormer.
9. I therefore conclude that the development unacceptably harms the character and appearance of the host dwelling and surrounding area. Thus, it conflicts with Policy P10 of the Leeds City Council Core Strategy (as amended by the Core Strategy Selective Review 2019), saved Policies GP5 and BD6 of the Leeds City Council Unitary Development Plan (Review 2006), and policy HDG1 of the Council's adopted Supplementary Planning Document 'Householder Design Guide 2012'. Amongst other things, these require development, including extensions, to be well designed, and to respect the scale, form and features of the original building and the character of its surroundings.

Conclusion

10. The proposal conflicts with the development plan as a whole and there are no other considerations that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

A Caines

INSPECTOR