



Appeal Decision

Site visit made on 23 November 2021

by Richard Newsome BA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 December 2021

Appeal Ref: APP/N4720/D/21/3281544

5 Bentcliffe Lane, Moor Allerton, Leeds LS17 6QF

- 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 Andrew Bissett of DMS Architecture against the decision of Leeds City Council.
 - The application Ref 20/07944/FU, dated 30 November 2020, was refused by notice dated 4 June 2021.
 - The development proposed is alteration including dormer window to front/rear; new bay window to first floor rear; single storey rear extension; replacement rear garage, new garden room, rendering of property, and raised patio area with replacement boundary treatment to side.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have used the description of development provided on the appeal form and Council's decision notice as this is more accurate than that given on the application form since it includes reference to the rendering of the property, although I have reincorporated the garden room which was omitted from the Council's description but contained in the original description.
3. Following the Council's determination of the planning application and prior to the submission of the appeal the revised National Planning Policy Framework (the Framework) was published. There are no substantive changes relevant to the appeal before me and therefore no interested parties would be prejudiced by my consideration of the 2021 version of the Framework.

Main Issue

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

Reasons

5. The appeal site is located in the middle of a run of large, detached dwellings on Bentcliffe Lane. It is located in a residential area predominantly characterised by 2 to 3-storey detached and semi-detached dwellings with either red brick or rendered elevations, or a combination of both. Dwellings are set back varying distances from the highway generally behind low brick walls and/or tall hedgerows on the boundaries. Rear gardens are of varying shapes and sizes.

6. The appeal site is a detached 2-storey red brick dwelling which has a distinct built form within Bentcliffe Lane. The dwelling has a pronounced part hipped roof with 3 roof lights in the front plane. There are 2 bay windows over the 2-storeys to the front. One bay is square, includes a mock timber feature, and has a hipped roof. The other is a curved bay with tile hanging and a flat roof.
7. The proposal would introduce a hipped dormer to the front plane of the roof facing Bentcliffe Lane. This would break the roof plane to the front of the dwelling and be a more prominent feature than the existing slim roof lights.
8. There is only a single dormer to the front of any buildings on the same side of Bentcliffe Lane as the appeal site and this is much smaller and on a single storey building. Whilst the dwellings on the other side of Bentcliffe Lane have large gable style dormers these are all uniform and appear to have been part of the original design of the buildings.
9. I also note from my site visit that there are some other instances of front dormers to dwellings in the surrounding area. However, these generally appear to be smaller in scale than that proposed and have windows forming most of the front of the dormers. Therefore, the introduction of the front dormer as proposed would be out of character in the street scene and locality.
10. The proposed dormer incorporates a window which is subordinate in design and size to those on the front elevation below. However, its overall scale and design results in a large proportion of the front of the dormer being formed of ribbed metal cladding. The proposed use of the ribbed metal cladding would not be sympathetic or consistent to the existing and/or proposed materials to the front of the dwelling or the existing materials of the adjacent dwellings. This would result in a detrimental visual impact to the area and host dwelling.
11. I note that the appellant contends that as the use of ribbed metal cladding was considered acceptable to the rear of the property by the Council that it should also be acceptable to the front of the dwelling. However, the rear elements of the proposal would not be visible from the street, unlike the front dormer, and so have been considered separately in this context.
12. I acknowledge that the location of the proposed dormer has had regard to the alignment with the bay on the front elevation below. The hipped roof design also reflects architectural features of the existing dwelling which is appropriate. However, these aspects of the proposed dormer do not mitigate that it would harm the character and appearance of the area and the host dwelling due to its scale, design, and materials to be used on a prominent front plane of the roof.
13. The appellant has highlighted that there have been no objections to the front dormer element of the scheme and that it would provide an improved amenity and outlook for the occupants of the room. However, neither of these reasons justify the harm that I have identified which would arise from the dormer. The absence of objections from neighbours is a neutral factor, not a benefit of the proposal.
14. The proposal also includes the rendering of all sides of the existing dwelling along with the new extensions and buildings to the rear. It is acknowledged that there are examples of rendered dwellings on the opposite side of Bentcliffe Lane from the appeal site. I also noted other fully or partially rendered dwellings in the locality.

15. However, the predominant character of the dwelling and those adjacent is heavily derived from their existing red brick elevations to the front and sides. Therefore, rendering the front and sides of 5 Bentcliffe Lane would break this collective value. It would result in the appeal site becoming incongruous and dominant in the immediate street scene. It would therefore harm the character and appearance of the host dwelling and the locality.
16. The appellant has also pointed to what he considers a fallback position that the property could be painted without planning permission. However, he acknowledges that painting the dwelling would not achieve the smooth finish that he wishes to achieve. Therefore, I only give this limited weight as it does not appear likely that it would actually happen – hence it is not a fallback. Consequently, it does not persuade me that the rendering of the front and sides of the dwelling would be acceptable.
17. I acknowledge that there has been an objection regarding the rendering including on the rear elevations and new development to the rear of the dwelling. However, I agree with the Council that rendering to the rear elements of the scheme would be acceptable as they would not be visible from the street and would not impact on the character of the area.
18. I concur with the Council in respect of the acceptability of the remaining elements of the proposal. I agree that the introduction of a dormer window to the rear, erection of a single storey rear extension, replacement rear garage, garden room, raised patio area, and replacement boundary treatment to the side would be acceptable. They would not result in any harm to the character and appearance of the area or the host dwelling.
19. Overall, for the reasons set out above, I conclude that the appeal proposal would result in harm to the character and appearance of the area and the host dwelling. Consequently, the proposal would fail to comply with Policy P10 of the Core Strategy (as amended by the Core Strategy Selective Review) (2019), Policy BD6 of the Leeds Unitary Development Plan Review (2006), Policy HDG1 and the principles set out in the Householder Design Guide (2012), and the principles of the Moortown Neighbourhood Design Statement (2016). These policies and principles taken collectively require the protection of the character and appearance of a locality through high quality design that respects local design features. The proposal is also contrary to the Framework, which amongst other things, seeks to secure high quality design in relation to new development.

Other Matters

20. The appellant has indicated that as part of the proposal it would seek to ensure that a wide range of environmentally friendly and sustainable processes are incorporated into the dwelling. Whilst this is admirable these matters do not outweigh my findings in respect of the harm of the proposed development on the character and appearance of the host dwelling and the area.

Conclusion

21. For the reasons given above I conclude that the appeal should be dismissed.

Richard Newsome

INSPECTOR