The Planning Inspectorate

Appeal Decision

Site visit made on 8 February 2022

by Diane Cragg Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2022

Appeal Ref: APP/N4720/D/21/3283138
217 Cardigan Lane, Burley, Leeds LS6 1DX

- 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 R Aitkens against the decision of Leeds City Council.
- The application Ref 21/00913/FU, dated 29 January 2021, was refused by notice dated 28 July 2021.
- The development proposed is describe as 'application for creation of a front dormer'.

Decision

1. The appeal is allowed, and planning permission is granted for a front dormer at 217 Cardigan Lane, Burley, Leeds LS6 1DX in accordance with the terms of the application ref 21/00913/FU dated 29 January 2021 and 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: Drawing No 2 revision D.

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. I saw at my site visit that a dormer window has been constructed in the front roof slope of the appeal property. However, the details of the dormer were amended during the application process and the dormer window details before me are a different design. For clarity, I am considering Drawing No 2 Revision D, since I understand from the submissions before me that this is the version of the drawings on which the Council based its decision. I have determined the appeal in accordance with the amended drawing.

3. I have removed the word retrospective from the description in the banner heading as this is not development of itself.

Main Issue

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

Reasons

5. The appeal property is an end of terraced house on the corner of Cardigan Lane and Norwood Place. It is part of a group of similarly designed terraced properties on the northern side of Cardigan Lane between Norwood Grove and Norwood Terrace. A reasonable proportion of these terraced properties have front dormer windows of various sizes and design. The front dormers are sufficient in number to influence the character and appearance of the terrace group.

6. The proposed dormer window would be set in from the side gable and up from the eaves line of the appeal property. Its size and scale would not be significantly different to others within the street and would not appear prominent or inappropriate in its context. Clad in slates the materials of the dormer would be consistent with the roofing materials within the terraced row.

7. I appreciate that the gable of the appeal property is parallel with Norwood Grove, and as a consequence the width of the eaves is greater than the ridge width. Even so, the proposed dormer would be set in from the side gable sufficiently for its straight alignment to sit comfortably with the alignment of the gable wall.

8. Although the window in the dormer would have a horizontal emphasis, which would contrast with the vertical emphasis of the windows in the front elevation of the property, its detail design would not be notably different to others in the street. Therefore, the design of the dormer elevation would not appear incongruous with the property or conspicuous in the street scene.

9. Overall, the proposed front dormer would not detract from the character and appearance of the host property or the area. It would be in accordance with Policy P10 of the Leeds City Council Local Plan Core Strategy (as amended by the Core Strategy Selective Review 2019) adopted November 2014 and saved Policies GP5 and BD6 of the Leeds Unitary Development Plan Review 2006 which collectively seek to ensure that development is of good design, appropriate to its location and the character of the area.

10. The proposal would also comply with Policy HDG1 of the Leeds Householder Design Guide April 2012 where it seeks to ensure that extensions and additions respect the scale, form, proportions, character, and appearance of the main dwelling including the roof form and roof line. In addition, the proposal would accord with the National Planning Policy Framework in so far as it relates to the design of development.

Conditions

11. Although a front dormer window has already been constructed at the appeal site, this is not the scheme for which planning permission is sought, therefore, I have imposed a standard 3-year commencement condition.

12. Conditions to ensure that the development is carried out in accordance with the approved plans and requiring external materials to match the existing dwelling are necessary for the avoidance of doubt and in the interests of local character and appearance.

Conclusion

13. For the reasons given above, I conclude that the proposal would accord with the development plan and the Framework, and therefore the appeal is allowed subject to conditions.

Diane Cragg

INSPECTOR