



Appeal Decision

Site visit made on 11 October 2022

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 October 2022

Appeal Ref: APP/W4705/D/22/3302623

3 Nightingale Walk , Gilstead, Bingley, BD16 3QB

- 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 Jen Murgatroyd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 22/00397/HOU, dated 27 January 2022, was refused by notice dated 20 April 2022.
 - The development proposed is described as: Loft conversion with 2no. front facing pitched dormer windows and rear facing box dormer window.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council consider that the proposed box dormer on the rear roof slope would be permitted development and has neither raised any objections to it, nor given it consideration in the Planning Officer's report. It may well be the case that the rear dormer would be permitted development. As this element of the overall proposal is not in dispute between the parties and I am dismissing the appeal for other reasons, I have not addressed the subject of the rear dormer. It would be open to the appellant to apply to the Council for a Certificate of Lawfulness under Section 192 of the Town and Country Planning Act 1990 (as amended) for this element of the proposal, should they wish to do so.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal proposal comprises the construction of two dormer windows on the front elevation of the appeal building to facilitate a loft conversion. The appeal building is one half of a pair of two-storey semi-detached houses. It is faced with coursed stone, or artificial stone, blocks and has a pitched roof covered with concrete tiles. The building is set above the level of the road and footway with the principal entrance approached by a short flight of steps. Above the front door is an open gabled, timber, canopy with a tiled roof. At first floor level an oriel window with a gabled roof projects beyond the front elevation of the building.

5. The appeal building is located on a modern housing development laid out around a series of culs-d-sac leading from a distributor road, Swan Avenue, which effectively forms a large loop to the east of Warren Lane. There is a range of house designs in the surrounding area including detached, semi-detached, and terraced properties. Nevertheless, shared features such as common materials; shared architectural details, such as canopies and the use of stone heads and cills to window and door openings; and similar solid to void ratios give the area a homogeneous appearance. The wider development is built on an undulating landform which results in a visually pleasing succession of kinetic views and a varied roofscape.
6. When read together Policies DS1 and DS3 of the Bradford Core Strategy 2017 (the Core Strategy) expect new development to be of a high standard of design that is informed by its context and creates a strong sense of place through attractive streetscapes and roofscapes. More specific advice on the design of domestic extensions, including dormer windows is set out in the Bradford Householder Supplementary Planning Document (the SPD) which is to be read alongside the more general policies in the Core Strategy.
7. The SPD sets out, among other matters, that traditional, pitched, dormers should be a maximum of 1.5 metres wide and aligned with the window below, although it recognised that in some cases pitched dormers over 1.5 metres in width may be acceptable on modern properties. It also states that the materials used for the sides and the roof of dormer windows must normally match or be sympathetic to the original roofing material and that all cladding materials should normally be restricted to the sides of the dormer window, and not the front elevation.
8. The proposed dormers would be set within the roof plane, well below the level of the ridge of the roof and inset from the verge and the boundary line with the adjoining property. They would also align with the windows in the floor below. This is consistent with the advice in the SPD.
9. The drawings that I have been provided with show the proposed dormers on the front elevation at 1.685 metres wide. Although the appellant states that the design was amended to reduce the width of the proposed dormers to 1.5 metres, it is not clear if the amendments shown on the appellant's 'Design Options and Planning Timeline' drawing submitted as part of the grounds of appeal were accepted as a formal amendment to the planning application by the Council. The Planning Officer's report also refers to the dormers being 1.685 metres wide. As there is no substantive evidence that the proposal was formally amended, I have to consider the proposal as it was submitted.
10. Whilst the SPD seeks to limit the width of pitched roof dormers to 1.5 metres, it does make allowance in some cases for dormers with a greater width on modern houses, such as the appeal building. The SPD does not set out any criteria for when dormers in excess of 1.5 metres may be acceptable on modern houses. The Council suggest that there is also a requirement in the SPD for dormers to be set 1.5 metres apart, however, I could not see this reference in the copy of the SPD that I have been provided with.
11. I saw when I visited the site that there are properties within the surrounding development that have dormer windows including the neighbouring property, a detached house at number 1 Nightingale Walk. It was, nonetheless, apparent from my observations in the area that the dormers on all of the properties that

I saw, a number of which have been included as precedent images on the submitted drawings, were part of the original design of the house as there were multiple examples of the same house types featuring dormer windows. I also saw that there were very few of the same house type as the appeal building and that none of these have had dormers added.

12. The SPD sets out that the cladding to the sides of dormer windows should not be extended to the front fascia. I saw that other dormer windows in the area had narrow fascias to each side of the window frame and that the lead cladding, or in some cases hanging tiles, used on the sides of the dormers extended around these fascias. This notwithstanding, these existing dormers are well proportioned and do have the appearance of traditional pitched roof dormers where the window opening forms the majority of the front face below the gable. In contrast, the dormers proposed for the appeal building would have a wide fascia on each side of the window opening that would measure approximately 0.4 metres wide to each side. This amounts to approximately half the width of the proposed dormer.
13. In addition to this, the eaves of the pitched roofs on all the existing dormers sit above the level of the window head whereas in the appeal proposal the eaves of the roof would sit well below the top of the window opening.
14. Taken together, these differences in the proportions and form of the proposed dormers would result in a distinctly different and incongruous appearance to the proposed dormers given that all the existing dormers in the area follow a similar pattern despite being situated on different house types. This would be particularly noticeable as the appeal building sits adjacent to another house with dormer windows and the buildings are located at a prominent junction. As a result of this, the proposal would be harmful to the character and appearance of the area.
15. The Council have also raised objections to the positioning of one of the proposed dormers directly above the gablet over the first floor oriel window. Although the proposed dormers would be set well up the roof plane, the submitted drawings illustrate that there would be very little clearance between the ridge of the roof over the oriel window and the front face of the proposed dormer above. Nevertheless, because the various features would not be in the same plane, with the oriel window projecting forward of the main front elevation of the house and the proposed dormer set well behind the front elevation, these features would not appear as "stacked" from most viewpoints. I also saw that there are several examples of a house type on the wider development where a dormer window is located in proximity to a gable feature on the front elevation.
16. The juxtaposition of the roof over the oriel and the proposed dormer would not, therefore, be inherently harmful to the character and appearance of the area. It would, however, be a prominent design feature that would serve to draw attention to the design discrepancies between the proposed dormers and the others on the estate. Consequently, this would not overcome the other harm that I have found.
17. I therefore conclude that the proposed development would cause harm to the character and appearance of the area. It would not comply with the relevant requirements of Core Strategy Policies DS1 and DS3 and the SPD.

Conclusion

18. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR