



Appeal Decision

Site visit made on 4 October 2022

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th November 2022

Appeal Ref: APP/N4720/W/22/3303185

18 St Hildas Place, Leeds, West Yorkshire LS9 0BX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Richard Willis against Leeds City Council.
 - The application Ref 22/00406/FU, is dated 10 January 2022.
 - The development proposed is a dormer window to front.
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Decision

1. The appeal is dismissed and planning permission for a dormer window to front is refused.

Application for costs

2. An application for costs was made by Leeds City Council against Mr Richard Willis. This application is subject to a separate decision.

Background and Main Issue

3. Following the submission of the appeal against non-determination, the Council has clarified the decision it would have taken on the application if it had been determined within the statutory time period. The Council would have refused the development for the following reason, "The proposed dormer window, by reason of its size, scale, and design is not considered to be respectful to the character and appearance of the host building or surrounding area, resulting in an incongruous form of development contrary to Core Strategy Policy P10 and Unitary Development Plan Policies GP5 and BD6 and guidance contained within the National Planning Policy Framework (NPPF) (specifically Paragraph 134)".
4. Therefore, the main issue is the effect of the proposed development upon the character and appearance of the host property and the St Hildas Place street scene.

Reasons

5. 18 St Hildas Place is a back to back mid-terraced property located within an area characterised by red brick terraced dwellings. Dormer windows are a common feature on the properties in St Hildas Place and the surrounding area. Though, there is a range of dormer window designs and sizes in the area, certain styles of dormers are more prevalent on certain streets. On nearby Cross Green Lane, several dormer windows incorporate a pitched roof whilst on other streets only flat roofed dormers are in place. Of these, there are examples of large flat roofed dormers which are set only marginally back from

the eaves and which run almost the full width of the roof slope of the house. Nearby St Hildas Avenue contains examples of these.

6. However, on St Hildas Place these largest examples of dormers are not dominant, particularly on the appeal site side of the street. On this side of St Hildas Place, most dormers, albeit flat roofed, are relatively narrow and much of the slate covered roof slopes remain to their sides. The dormers which are in place on the nearest neighbouring properties either side of the site are the narrower type. The fenestration detail on the front of these dormers is also similarly designed comprising of an expanse of glass broken up only by the window frames.
7. Though it would be set back from eaves level and set down from the roof ridge, the proposed dormer would be wide and would span a much greater proportion of the roof slope of the property than is predominantly the case elsewhere on the street. As a result, the dormer would dominate the front roof slope of the property. The proposed dormer would also contain two, separated windows. This would create a more solid appearance which would emphasize the scale and mass of the dormer, creating a top heavy appearance. The larger of the two windows would also be much wider than any of the existing front elevation windows serving the house and would appear incongruous as a result.
8. Detailed design guidance in respect of dormer windows is contained within the Householder Design Guide Supplementary Planning Document, 2012 (SPD). Although the SPD accepts that front elevation dormers are part of the character of some streets, and this is the case in the vicinity of the site, it nevertheless advises that proposed dormers should be appropriately designed whereby they do not dominate the roof plane and would have a well-proportioned approach to window design. For the above reasons, the proposed dormer would not accord with the SPD guidance.
9. I note the appeal¹ relating to dormer windows in Headingley which was allowed. In that case it would appear that the level of inconsistency in the architectural approach to dormers in the area formed a key part of the Inspector's reasoning. However, in this case, I have identified that smaller window style dormers are the predominant type in St Hildas Place and the appeal proposal would appear as an unduly prominent feature on the front elevation of the dwelling and within the St Hildas Place street scene.
10. As a result, I find that the proposed dormer would have a dominant and top heavy appearance which would be harmful to the character and appearance of the host property and would be unduly prominent in the street scene. It would be contrary to the detailed design guidance contained within the SPD. Consequently, the development would be contrary to Policy P10 of the Leeds Local Plan Core Strategy 2014 and Policies BD6 and GP5 of the Leeds Unitary Development Plan. In summary, and amongst other things, those policies seek to ensure that development is of high quality, respecting and enhancing existing streets whilst extensions should respect the scale and detailing of the original building. The harm I have identified would also be contrary to advice within the National Planning Policy Framework, which, at paragraphs 130 and 134, states that development should be visually attractive and sympathetic to local character whilst development which is not well designed should be refused.

¹ Appeal Ref: APP/N4720/D/21/3288403

Conclusion

11. For the above reasons, having taken account of the development plan as a whole and all other relevant material considerations, the appeal is dismissed and planning permission is refused.

H Jones

INSPECTOR