



Appeal Decision

Site visit made on 22 November 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 November 2022

Appeal Ref: APP/N4720/D/22/3309228

22 Layton Lane, Rawdon, Leeds LS19 6RG

- 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 David Franklin against the decision of Leeds City Council.
 - The application Ref 22/05488/FU, dated 8 August 2022, was refused by notice dated 5 October 2022.
 - The development proposed is described as 'dormer to side elevation by extending original ridge and face of dormer stepped back from the gutter line to preserve original features and lower parts of the hips to remain in situ. Sides and face of dormer to be in matching vertical hanging tiles and original rosemary tiles to be used on faces and roof'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is a two-storey extended semi-detached dwelling on a corner plot. The area is residential in character and includes a number of semi-detached dwellings set well back from Layton Lane and within spacious and landscaped plots. While not all of the semi-detached dwellings are identical in terms of their age or appearance, there is nevertheless a general consistency to them in terms of a predominantly hipped roof form in this part of the street.
4. The proposed side dormer would have the effect of materially altering the hipped roof associated with the pair of semi-detached dwellings. This would materially harm the balance and symmetry of the pair of semi-detached dwellings and, in this regard, the proposal would constitute poor design.
5. I acknowledge that the pair of semi-detached properties are partly screened from Layton Lane as a result of mature front garden landscaping. However, this may not endure indefinitely and, in any event, the semi-detached dwellings are particularly conspicuous when viewed from the side road leading to Nos 26 and 28 Layton Lane and from the south on Layton Lane where the side roof plane of the dormer is proposed. Furthermore, the main roof of the semi-detached dwellings in question is prominent in view from higher ground in the street-scene for those travelling down Layton Lane.

6. In this case, therefore, the appellant's claim about a lack of public visibility is not well founded and, in any event, this would not obviate the need to achieve good design. Indeed, paragraph 126 of the National Planning Policy Framework 2021 (the Framework) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
7. I accept that there are some properties in Layton Lane that have side dormer extensions or hip to gable extensions. However, these are the exception rather than the norm within the vicinity of the appeal site and, furthermore, in some places such extensions have upset the design symmetry of the semi-detached dwellings. I have determined this appeal on its planning merits and on the basis of the impact of the development on the prevailing hipped roof design in the immediate locality. The existence of some side dormer extensions or hip to gable extensions in the wider area does not alter or outweigh my findings in this case. Furthermore, while the pair of semi-detached properties are angled towards Layton Lane (as are Nos 26 and 28 Layton Lane) the passer-by still appreciates the hipped roof design of these properties in the context of the mainly other similar hipped roofs to dwellings that face directly towards Layton Lane.
8. For the above reasons, I conclude that the proposal would not constitute good design and material harm would be caused to the character and appearance of the area. Therefore, the development would not accord with the design, character and appearance requirements of policy P10 of the Leeds Core Strategy 2019, saved policies GP5 and BD6 of the Leeds Unitary Development Plan 2006, policy HDG1 of the Householder Design Guide SPG 2012, and Chapter 12 of the Framework.

Conclusion

9. For the reasons given above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR