



Appeal Decision

Site visit made on 4 October 2022

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2022

Appeal Ref: APP/N4720/D/22/3305595

Oakdene, Newlay Wood Drive, Horsforth, Leeds LS18 4LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Charlie Johnson against the decision of Leeds City Council.
 - The application Ref 22/02511/FU, dated 1 April 2022, was refused by notice dated 13 June 2022.
 - The development proposed is introduction of dormers to recently approved planning application.
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Decision

1. The appeal is allowed and planning permission is granted for introduction of dormers to recently approved planning application at Oakdene, Newlay Wood Drive, Leeds LS18 4LL in accordance with the terms of the application, Ref 22/02511/FU, dated 1 April 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) 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.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plan: 2022-09 -PL-02 Rev 1.

Main Issue

2. Whether the proposed development would preserve or enhance the character or appearance of the Newlay Conservation Area (CA).

Reasons

3. The appeal property is a large two storey Victorian property forming one half of a pair of properties, set within a generous plot occupying a relatively secluded position within a residential area. The surrounding properties vary in size and design and a wide range of dormers are evident within the roofscape. A number of trees surround the site which form the boundary treatment along with a mix of fencing and stone walling.
4. The site lies within the CA and as such, special attention has to be paid to the desirability of preserving or enhancing the character or appearance of the CA. I have had regard to paragraph 199 of the National Planning Policy Framework (the Framework) in terms of giving great weight to the CA's conservation.

5. The CA is noted for its Victorian development and its local vernacular of building materials means that the character is very distinctive. The area has a countryside atmosphere with large areas of woodland adding to the overall character and appearance.
6. The site's significance is derived from its historic and aesthetic merits and although the pair of properties feature more modern additions, they still exhibit a strong aspect of their original character. The pair therefore make a positive contribution to the CA.
7. The proposed development would include two dormer windows on the rear elevation and whilst they would occupy a relatively large proportion of the roof slope, the roof pitch is one which would allow a substantial amount of the original roof to be retained above and between each dormer. Moreover, the dormers would be positioned away from the ridge and sides which would help to reduce their bulk and dominance on the building.
8. I acknowledge that the proposed dormers would be flush with the rear elevation and break the existing eaves line. However, the dormers would not be of a size or scale to dominate the existing roof and would therefore remain subordinate to the main property.
9. I also acknowledge the Council's concern regarding the symmetry of the pair of properties. However, the windows would comprise sash frames and have a vertical emphasis reflective of the existing fenestration and would appear slightly smaller than the existing windows. The detailing of the dormer windows also reflects the style and architecture of the main dwelling and pair of properties and would not be harmful to the overall proportions and appearance of the pair of properties as a whole.
10. The rear dormers would be well shielded from views given the relatively secluded position of the property and vast amount of trees and vegetation within the area. At my site visit, only glimpses of the rear elevation were evident along Newlay Wood Avenue. As such, any visual impact arising from the proposed development would be limited. In any event, the dormers would not appear discordant given the diverse appearance of dormers nearby.
11. Due to the overall design and position on the rear elevation, the dormers would not appear as a dominant addition nor be highly visible in the locality. Accordingly, I find the proposal would preserve the character and appearance of the CA. As such, it would not be in conflict with Policies P10, P11 and P12 of the Leeds Core Strategy, Policies GP5, N19 and BD6 of Leeds Unitary Development Plan (Review) 2006 and Policy HDG1 of the SPD and the guidance contained within it, which together, amongst other matters, seek to respect the scale, form, detailing and materials of the original building as well as preserving or enhancing the character or appearance of the Conservation Area. The proposed development would also accord with chapter 12 of the Framework relating to well-designed places as well as chapter 16 which relates to conserving and enhancing the historic environment.
12. I have considered the conditions suggested by the Council including the standard time for commencement of development which I have applied. I also agree that a plans condition is necessary to ensure that the approved development is carried out in complete accordance with the approved plans. A condition relating to materials would also be required in the interests of the

satisfactory appearance of the development upon completion and in accordance with the development plan and Framework.

Conclusion

13. For the above reasons, the appeal should be allowed.

N Teasdale

INSPECTOR