



Appeal Decision

Site visit made on 20 March 2023

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2023

Appeal Ref: APP/N4720/W/22/3310539

50 – 52C Stainbeck Road, Meanwood, Leeds LS7 2QY

- 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 Daniel Fairburn against the decision of Leeds City Council.
- The application Ref 22/04525/FU, dated 28 June 2022, was refused by notice dated 15 September 2022.
- The development proposed was described as 'Proposal of 3 larger dormers to the rear of the building'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is comprised of a short terraced block which, although initially described as being just 50a Stainbeck Road, is subsequently referred to as 50 – 52 Stainbeck Road. The development proposed was also originally described in the terms set out above, but subsequent documentation including the Council's officer report and decision notice, and the appellant's Appeal Statement, refer to a more extensive range of works. Although the wording differs, I have determined the appeal on the basis of the more comprehensive development and address descriptions set out on the Council's decision notice and described on the 'proposed site plan', respectively.
3. The appeal property has a lengthy recent planning history, including a recently approved scheme¹ for alterations to the roof (front), reinstatement of dormer windows (rear) and other works. It is clear from the evidence before me that the application the subject of this appeal was submitted to, and considered by the Council, retrospectively, at least in part. At the time of my visit two of the three dormer windows for which permission is sought were in place at the rear of the appeal property. I have determined the appeal accordingly.

Main Issue

4. It is clear from the Council's officer report, reason for refusal and Statement of Case, that the only matter of dispute between the main parties relates to the rear dormer windows and their effect on character and appearance. No compelling evidence has been submitted that would lead me to reach a different conclusion and thus the main issue is the effect of the three rear dormer windows upon the character and appearance of the appeal property and the surrounding area.

¹ LPA Ref No: 22/00900/FU

Reasons

5. The appeal property is a short, two storey terraced block located on the inside corner of the junction of Stainbeck Road and Potternewton Lane. A similar terraced block lies on the opposite side of the junction with Potternewton Lane in an area of residential character, albeit with a mix of architectural styles.
6. The rear of the appeal property is visible from Potternewton Lane across an open rear yard area. Although a substantial tree and hedge belt largely screens the appeal site from longer views from the elevated Tynedale Court and Farm Hill North to the east, the building's rear elevation and the dormer windows can be seen from closer quarters on Potternewton Lane on approach to the junction. An area of landscaped open space and a new residential development to the north also offer relatively unobstructed views of the rear of the appeal site. Views are not, as the appellant seeks to suggest, only fleeting.
7. The proposed dormer windows would be large, slab-fronted and slab-sided 'box' dormer windows. Two are already in place, whilst the third would replace an existing, smaller dormer within the remaining rear roof area. The extent of the property's roof is substantial and with only small insets from each other at their sides, and a minimal set back from the rear face of the building, the dormer windows are of a considerable size.
8. Furthermore, the limited insets and absence of a setback would mean that the dormer windows would dominate the rear, and rear roof, elevations of the terraced block. Although the facing materials of the dormer windows could be controlled by a suitably worded condition, their extent is such that they would be incongruous in their scale. The white cladding employed on the two currently in place, and proposed in relation to all three, merely results in an even more starkly incongruous and disruptive roof form.
9. There are, as the appellant notes, varying architectural styles in the surrounding area, and the scale and nature of properties is equally varied. Nor are dormer windows uncommon, with smaller examples either in place, or previously in place, at the appeal property whilst dormer windows are common on the new residential development a short distance away on the opposite side of Potternewton Lane.
10. However, whilst there is a degree of space and openness around the rear of the appeal building, this does little to disguise the scale and stark incongruity of the proposed dormer windows. Rather, with little in the way of similar scaled buildings or building features around it, the result is to emphasise the visually disruptive nature of the dormer windows.
11. Nor are views of the rear elevation as fleeting as the appellant suggests. Whilst longer views from the east and south east are reasonably effectively screened by vegetation, the immediate openness and space around the rear and side of the building closer to the junction means that rear elevation views here are immediate, unfiltered and prolonged. Around a busy junction, with pedestrian crossing points, bus stops and nearby shops, pedestrian visibility is likely to be high and widespread.
12. The angles and distances from which the dormer windows would be viewed from are also, from my observation when visiting the site, over-stated by the appellant. Whilst I accept that this may be true, in part at least, in isolation in

relation to the dormer window on the farthest element of the building from Potternewton Lane, this would not hold true in relation to the third, as yet unbuilt, dormer closest to the junction. There would instead be very little relief from its slab-sided cheeks and it would be seen in much closer proximity from Potternewton Lane. More muted facing materials would do very little to disguise the overwhelming and unsympathetic scale of these additions which would not appear subservient to, or commensurate in size with, the scale and design of the host building.

13. I acknowledge that the proposed development would bring vacant and underused properties back into use and would provide a boost to the supply of homes within Leeds. The appellant goes on to state that the proposal would present an opportunity to deliver sustainable development and the viable reuse of an existing building. These are significant benefits that carry considerable weight in support of the proposed development. However, an approved, extant and largely similar scheme for the redevelopment of the appeal site exists which, in the absence of compelling explanation, reduces the weight that I give to these factors. Moreover, the harm arising to the character and appearance of the host property and the surrounding area from the proposed dormer window extensions would be significant and can not be justified in the terms set out by the appellant.
14. Core Strategy (CS) Policies P10 and P12 and Unitary Development Plan (UDP) saved Policies BD6 and GP5 together seek to secure high quality development and good design that respects the scale, form and detailing of the original building and conserves the character of Leeds' townscapes. Proposals will be supported where the size, scale and design of a scheme is appropriate to its context. For the reasons I have set out, the three large dormer windows would fail to achieve these aims and the proposal is contrary to these policies as a consequence.
15. Whilst the benefits of the scheme are noted, given the presence of an extant scheme of a similar nature for the redevelopment of the appeal property, I am, not persuaded that the economic and social objectives of the National Planning Policy Framework outweigh its environmental objective of protecting and enhancing the built environment and achieving well-designed places.

Conclusion

16. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

G Robbie

INSPECTOR