



Appeal Decisions

Site visit made on 28 February 2023

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2023

Appeal A Ref: APP/N4720/D/22/3310522

5 North Mead, Bramhope, LEEDS, LS16 9DT

- 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 Tony Shenton against the decision of Leeds City Council.
 - The application Ref 22/03999/FU, dated 6 June 2022, was refused by notice dated 16 August 2022.
 - The development proposed is a side dormer window.
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Appeal B Ref: APP/N4720/D/22/3310523

5 North Mead Bramhope, Leeds LS16 9DT

- 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 Tony Shenton against the decision of Leeds City Council.
 - The application Ref 22/05670/FU, received 17 August 2022, was refused by notice dated 11 October 2022.
 - The development proposed is a dormer to the side.
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Decision

Appeal A: Ref: APP/N4720/D/22/3310522

1. The appeal is allowed and planning permission is granted for a side dormer window at 5 North Mead, Leeds LS16 9DT in accordance with the terms of the application, Ref 22/03999/FU, dated 6 June 2022, and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan 1:1250; Drawing No:001 Existing Plans; and Drawing No: 002 Proposed Plans Side Dormer.
 - 3) 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.

Appeal B: Ref APP/N4720/D/22/3310523

2. The appeal is allowed and planning permission is granted for a dormer to the side at 5 North Mead, Bramhope Leeds LS16 9DT in accordance with the terms of the application, Ref 22/05670/FU, dated 6 June 2022, and subject to the following conditions:

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan 1:1250; Floor Plans 001; and Drawing No: 003 Proposed Plans Side Dormer.
- 3) 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.

Preliminary Matters

3. As set out above there are two linked appeals on this site. Both appeal proposals comprise side dormer windows. I have considered each proposal on its own merits. However, to avoid duplication I have dealt with the two schemes together unless otherwise indicated.
4. In Appeal A the proposed dormer would have a flat roof and be constructed from material to match the host dwelling roof. It would have a width of approximately 6.9m. In Appeal B, the dormer window also consists of a flat roof. It is positioned in a similar part of the roof on the side elevation as Appeal A and is similar in terms of relationship to the ridge of the main dwelling, depth, height, materials and window size. It is however shorter in width at approximately 2.6m.
5. In Appeal B, the application form is dated 6 June 2022. However, the appellant's appeal form and the Council's acknowledgement refer to the 17 August 2022. The appellant's submission advises that the application form for appeal B was the same one used as Appeal A, and I have therefore proceeded on this basis and altered the banner heading to reflect the date received by the Council.

Main Issues

6. The main issue for both appeals is the effect on the character and appearance of the area and host dwelling.

Reasons

7. The appeal building at No 5 North Mead (No 5) is a hipped roof bungalow which has been extended to the side. The neighbouring bungalows on North Mead have a similar appearance which positively contributes to the character and appearance of the area. However, whilst most properties directly face the road, No 5 is positioned at a tangential angle at the turning head of this residential cul-de-sac and appears slightly set back within the streetscene.
8. Due to the set-back of the property and orientation of the host building in the street, the side elevation does not appear in prominent views from it. Both dormer windows are sited on this less prominent side elevation. In addition, although positioned high on the roof plane, both dormer windows would also sit below the ridge of the main roof, and the ridge of the hipped roof to the side. The dormer windows would not project beyond the roof plane to the side. Thus, both dormers would be more than partially obscured from the street. Although there are limited examples of dormer windows in the area, both would be discretely positioned on the side of the host property.

9. There would be an expanse of solid surfacing for both dormers, and I acknowledge they are rectangular. However, as they would be constructed in materials to match the existing roof this would alleviate the span of both windows and thus also be in keeping with the character of the host property. In this instance I find the absence of glazing would lessen the visual appearance given the matching materials proposed.
10. Although the dormer window subject of Appeal A has a greater length, it would not modify the shape of the roof in a way which would substantially alter its form. The dormer subject of Appeal B would also appear as a more modest feature. Given the asymmetrical design of the side elevation of the bungalow, the absence of alignment and symmetry at roof level does not result in an incongruous addition. Overall, both dormers would be subservient additions to the host dwelling.
11. Due to No 5 being slightly lower than the appeal site, both the dormer windows would be highly visible to No 6 North Mead (No 6). However, the Council have not raised any concerns regarding the effect on the living conditions of No 6. I concur due to the separation distances and obscure glazing proposed.
12. In conclusion, the proposals subject of Appeal A and Appeal B would not have a harmful effect on the character and appearance of the area and host dwelling. Consequently, the proposal accords with policy P10 of the Leeds Core Strategy (2019) and saved policies BD6 and GP5 of the Leeds Unitary Development Plan (2006). Combined and insofar as they are relevant to the appeal, these policies and guidance require that new development is appropriate to the surrounding area, the environment and seeks to ensure all extensions are appropriate to the main dwelling. For similar reasons, the proposal complies with the National Planning Policy Framework where it seeks to achieve well-designed places.
13. Although the proposal may not accord with all of the advice within the Householder Design Guide Supplementary Planning Document April 2012, in this case, due to the limited public visibility the effect would not be significant, and overall, it would accord with HDG1 of this guidance.

Conditions

14. In allowing both Appeal A and Appeal B, I shall impose conditions in accordance with those suggested by the Council for each appeal. In addition to the standard time limit condition [1], a condition requiring the development to be carried out in accordance with the approved plans is needed in the interests of certainty [2], as is a condition requiring matching external materials in the interest of visual appearance [3].

Conclusion

15. For the reasons given above, having considered the development plan as a whole, and having regard to all matters raised, I conclude that Appeal A and Appeal B should be allowed.

K Williams INSPECTOR