



Appeal Decision

Site visit made on 3 May 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06/July 2023

Appeal Ref: APP/N4720/D/23/3316170

29 Airlie Place, Chapeltown, Leeds LS8 4JN

- 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 Rafiq Uddin against the decision of Leeds City Council.
 - The application Ref 22/06781/FU, dated 6 October 2022, was refused by notice dated 1 December 2022.
 - The development proposed is front and rear dormers.
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Decision

1. The appeal is allowed and planning permission is granted for front and rear dormers at 29 Airlie Place, Leeds LS8 4JN in accordance with the terms of the application, Ref 22/06781/FU, dated 6 October 2022, 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, Drawing No:22188-1.
 - 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.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host dwelling and area.

Reasons

3. The host dwelling is a terraced property, set back from the road with a low boundary wall, in an established residential area. The area is characterised by similar dwellings with a number of nearby properties having been previously extended with dormers to the front and rear. Whilst the planning history of the existing dormers of the nearby properties is not known, their presence has led to a change in the character and appearance of the area. It is in this context that I have assessed the proposal.
4. The proposed dormer windows would be set below the ridge height of the dwelling and set in from the front and rear roof slope between existing chimney stacks. They would alter the appearance of the roof, introducing a top heavy addition and the large windows that they contain would draw attention to these features within the roof of the property.

5. However, whilst the proposal would not respect the appearance of the host property, taking the terrace as a whole with its variety of roof designs, the proposal would not be incongruous. Indeed, the new dormers would be of a similar design and siting to those nearby. The appearance of the terrace would not be harmed as a result, nor would that of the street as a whole.
6. For the above reasons, I conclude that the appeal proposal would be harmful to the appearance of the host dwelling, however given the context within which it would be viewed, the new dormers would respect the character and appearance of the area, including the terrace of which the host property forms part. Whilst there would be conflict with Policy BD6 of the Leeds Unitary Development Plan Review (2006) (UDP) in terms of the host property, given the context within which the proposal would be viewed, there would be no conflict with its aims which seek to protect the townscape of the area, particularly as the area is not within a Conservation Area. Moreover, the proposal accords with Policy P10 of the Leeds City Council Core Strategy (2019) and Policy GP5 of the UDP which together, amongst other matters, seek to ensure that development is appropriate to its context and respects the character and quality of the surrounding area. It would also not conflict with Policy HDG1 of Householder Design Guide Supplementary Planning Document (2012) which states that additions should respect the character and appearance of the locality particularly the roof form and roof line or the overarching design aims of the National Planning Policy Framework (the Framework).

Conditions

7. I have had regard to the conditions suggested by the Council in line with the advice in the Framework and the Planning Practice Guidance. In addition to the standard timeframe condition, I consider that a condition requiring the development to be constructed in accordance with the approved plans is necessary for the avoidance of doubt. A condition regarding external materials is also necessary to ensure there would be no harm to the character or appearance of the surrounding area.

Conclusion

8. For the reasons given and having regard to the development plan as a whole, I conclude that the appeal should succeed.

H Senior

INSPECTOR