



Appeal Decision

Site visit made on 12 December 2023

by C Megginson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 January 2024

Appeal Ref: APP/N4720/D/23/3330316

12 Chatsworth Rise, Pudsey, Leeds, LS28 8JY

- 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 Jake Hanwell against the decision of Leeds City Council.
 - The application Ref 23/03495/FU, dated 3 June 2023, was refused by notice dated 19 July 2023.
 - The development proposed is described as 'Proposed partial rear dormer extension (designed under permitted development guidelines). Proposed partial front dormer extension.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the planning application form. The Council's decision notice identifies the proposed development as 'Dormer window to front' and the Council and the applicant consider that the proposed rear dormer falls within permitted development guidelines. From the evidence before me I have no reason to disagree with the parties in this regard, therefore I have considered the appeal on this basis.
3. In December 2023 the National Planning Policy Framework (the Framework) was updated. No fundamental changes were made to the matters raised by the appellant and the Council, and it has therefore not been necessary to seek the views of the parties.

Main Issue

4. The effect on the character and appearance of the host property and the street scene.

Reasons

5. The appeal site is a single storey semi-detached dwelling in a cul-de-sac largely consisting of single storey semi-detached dwellings to one side of the street and two storey semi-detached dwellings to the opposite side. These properties have a straightforward and pleasing design with simple, regular rooflines, broken only by chimney stacks, as you view the cul-de-sac as a whole.
6. The appeal site sits in a central position in the street scene and forms part of a semi-detached block. The front roofscape of the block is large and slender chimney stacks feature in the centre of each dwellings roof slope.

7. The appeal proposal would create a dormer window which would cover the majority of the roof to one side of the chimney stack. The proposed dormer would be below the existing ridge of the property, would not project beyond the principal elevation and would use materials to match the existing dwelling.
8. Nevertheless, the scale and design of the proposed dormer is such that it would give rise to a prominent feature that would be significantly at odds with the current appearance of both the appeal property and the adjoining property. This would disrupt the roofline of the semi-detached block, fundamentally altering its shape and unbalancing its form.
9. As a result, the proposed front dormer window would harm the character and appearance of the host dwelling and the contribution of the dwelling, and the semi-detached block of which it forms a part, to the street scene.
10. As such, it would conflict with Policy P10 of the Leeds Core Strategy and Saved Policy GP5 of the Leeds Unitary Development Plan Review (2006), which require new development to respect the character and appearance of the main dwelling and the locality. It would also be contrary to the guidance in the Leeds City Council Householder Design Guide Supplementary Planning Document (2012) which states that dormer windows to the front would not normally be considered acceptable.
11. The proposal would also be contrary to the National Planning Policy Framework (The Framework), which states in paragraph 135 that planning decisions should ensure that developments will add to the overall quality of the area and are sympathetic to local character.
12. Whilst the wider locality comprises several different house designs, this does not detract from the positive contribution that the simple, cohesive design of the row of semi-detached bungalows makes to the character and appearance of the street scene.
13. My attention has been drawn to other front facing dormer extensions in the area, including multiple examples in the surrounding streets. The circumstances in each proposal are likely to be different, and in any event the fact that apparently similar dormers may have been permitted is not a reason, on its own, to allow unacceptable development.
14. Furthermore, the examples cited do not appear to necessarily constitute an example of sympathetic development in a residential area and do not therefore justify the appeal proposal. I have considered this appeal proposal on its own merits.
15. The applicant has stated that there is an urgent need for them to expand the property. However, this does not outweigh the harm identified.
16. The applicant has highlighted a lack of communication from the Council during the application stage. The conduct of the Council does not affect consideration of the main issues.

Conclusion

17. The appeal scheme would conflict with the development plan. There are no material considerations worthy of sufficient weight that would indicate a

decision other than in accordance with it. The appeal should therefore be dismissed.

C Megginson

INSPECTOR