



Appeal Decision

Site visit made on 15 March 2024

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 May 2024

Appeal Ref: APP/N4720/D/24/3336299

Lillibeck House, 37 Firbeck Road, Bramham, Wetherby LS23 6NE

- 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 and Mrs Langford against the decision of Leeds City Council.
 - The application Ref 23/05632/FU, dated 14 September 2023, was refused by notice dated 17 November 2023.
 - The development proposed is a loft conversion including three rear pitched roof dormers.
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Decision

1. The appeal is allowed and planning permission is granted for a loft conversion including three rear pitched roof dormers at Lillibeck House, 37 Firbeck Road, Bramham, Wetherby LS23 6NE in accordance with the terms of the application, Ref 23/05632/FU, dated 14 September 2023, 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 plans: 2023/142/P AL(0)01; 2023/142/P AL(0)02; and, 2023/142/P AL(0)03.

Main Issue

2. The main issue raised by this appeal is the effect the development would have on the character and appearance of the host building and the area.

Reasons

3. Lillibeck House is a large, detached dwelling. One of a row of detached properties running along Firbeck Road, its rear is relatively secluded as a result of the close proximities of the houses to one another and the extensive tree cover alongside the beck which runs to the rear.
4. The proposed dormer windows would be relatively wide compared to their height, giving them a rather bulky appearance and collectively they would occupy a considerable area of the rear roof slope. Nevertheless, although the ridges of the dormers would be close to that of the main roof ridge, their eaves

would be set well down from the ridge, and they would be set in from the gables at either end. Although close, they would nevertheless be set back from the eaves.

5. These characteristics would mean that although sizeable, the dormers would accord with the Council's Householder Design Guide¹ (HDG) which acknowledges that rear dormers not facing a public area or highway may be marginally larger than the guidance finds acceptable in more prominent locations. Their matching tile cladding and reflection of the proportions, and positions of windows in the rear elevation below, would assist in their visual assimilation into the host building.
6. When trees along the beck are not in leaf brief glimpses of the dormers would be afforded from New Road and between properties on Fine Garth Close although these would be far from extensive views. When trees are in leaf they would largely conceal views of the proposed dormers from surrounding streets. As these trees are in multiple gardens there is a reasonable likelihood that the overall verdant tree cover to the rear of Lillibeck House and along the beck will endure. Their situation would mean that any limited adverse effects as a result of their size and situation relative to the host property would not adversely affect the character and appearance of the area.
7. The Bramham Conservation Area covers the attractive and historic townscape of the village core from whose architecture, streets and spaces it gains much of its significance as a designated heritage asset. Some of its significance is derived from its setting of countryside and features such as the wooded banks of the beck which runs along part of its boundary. The trees would considerably break up, and at times conceal, what very limited views of the dormers would be afforded from within the Conservation Area. As a consequence, the Conservation Area's setting, and hence the significance it derives from it, would be preserved.
8. The development would accord with Core Strategy² Policies P10 and P12, and UDP³ Policies GP5 and BD6. Together, and amongst other criteria, they require that the size, scale, form and detailing of extensions respects that of the original building, its context and surroundings, and that the character and quality of townscapes are conserved. For the above reasons it would also accord with the guidance in Policy HG1 of the HDG and would accord with the National Planning Policy Framework's (the Framework) design and historic environment conservation policies.

Other Matter

9. Where houses are situated close to one another with modest rear gardens, as they are on this part of Firbeck Road, a degree of mutual overlooking of rear gardens from first floor windows will exist. Lillibeck House's rear elevation is set slightly forward of, and slightly angled away from, that of the rear of its neighbour at 39 Firbeck Road. Whilst the proposed dormers closest to party boundaries would offer an elevated and additional view which would include parts of the rear gardens of Nos 35 and 39, this would not be dissimilar to that

¹ Householder Design Guide - Leeds Local Development Framework - Supplementary Planning Document, 2012.

² Core Strategy (as amended by the Core Strategy Selective Review 2019) - Leeds Local Plan, 2019.

³ Leeds Unitary Development Plan (Review 2006) (UDP).

which would already be possible from the existing first floor windows in Lillibeck House.

10. Furthermore, the situation of the proposed windows would be such that the combination of boundary treatments, planting and the angle of views would mean that part of the gardens of both neighbouring properties would remain unaffected. Any overlooking that might result would not be materially worse than that which already exists and would not result in a harmful loss of privacy to the occupiers of either neighbouring property. This prevention of any significant loss of privacy would accord with the approach in the HDG.

Conditions

11. A condition specifying the approved plans gives certainty to all parties. Requiring the materials to match the host dwelling will help to preserve the character and appearance of the property and the area.

Conclusion

12. For the above reasons the development would not harm the character and appearance of the host building or the area, and would accord with the development plan considered as a whole, Council guidance and the Framework. The appeal is therefore allowed.

Geoff Underwood

INSPECTOR