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## Appeal Decision

Site visit made on 11 March 2025

by **Ryan Cowley MPlan (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1 April 2025

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**Appeal Ref: APP/E2001/D/25/3360215**

**5 Maulson Drive, Bilton, East Riding of Yorkshire HU11 4HJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr. & Mrs. Tilson against the decision of East Riding of Yorkshire Council.
  - The application Ref is 24/03408/PLF.
  - The development proposed is dormer to the front.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The Council has advised that The Local Plan Update, comprising a Strategy Document Update and Allocations Document Update, is expected to be adopted at the meeting of the full Council on 2 April 2025. In accordance with paragraph 49 of the National Planning Policy Framework (the Framework), the Council is now giving significant weight to the policies of The Local Plan Update. Both parties have been given an opportunity to comment on the Local Plan Update.
3. Nevertheless, the Council advise that The Local Plan Update makes no material changes to the requirements of Policy ENV1 insofar as it affects this proposal. The East Riding Local Plan 2012-2029 Strategy Document Adopted April 2016 (the Local Plan) remains part of the development plan until such point that it is replaced, and the appeal has thus been determined on this basis.
4. The Council has also advised that the East Riding Design Code (ERDC) is expected to be confirmed at the meeting of the full Council on 2 April 2025. Though not yet formally adopted, the ERDC is clearly at an advanced stage of preparation and is broadly consistent with existing guidance within the Council's Design Guidance for House Extensions (DGHE), in so far as it relates to this appeal. Both parties have been given an opportunity to comment on the ERDC and I have therefore had regard to this document in the appeal.

### Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the host dwelling and surrounding area.

### Reasons

6. The host dwelling comprises an end-of-terrace bungalow finished in a red brick. It features a dual pitched roof with a side facing gable and grey roof tiles to the front. There are also two roof lights in the front facing roof slope and a modest brick

porch with a shallower sloping roof design. Though not entirely symmetrical, the dwelling maintains a degree of balance to the front elevation through the spacing of ground floor windows and central positioning of the porch.

7. The appeal site sits within a small cul-de-sac of similar bungalows, several of which feature later extensions or alterations. Nevertheless, there is a considerable degree of consistency in the form and materiality or roof slopes and elevations facing the cul-de-sac. The surrounding area is characterised by a mix of similar bungalows and 2-storey houses in semi-detached and terraced arrangements.
8. The DGHE advises that smaller dormers aligned with existing windows normally produce a well-balanced appearance. It recommends that dormers be set down from the ridge of the main roof and that, wherever possible, they should have a pitched or sloping roof, particularly at the front of the dwelling. While the age of this guidance is noted, it remains broadly consistent with the soon-to-be-adopted ERDC which, additionally, recommends that dormers use matching materials, with the primary face of the dormer predominantly glazed.
9. The proposal would insert a first-floor dormer window in the front facing roof slope of the host dwelling, clearly visible from within the cul-de-sac and wider street scene. Though relatively modest in size, the flat roof of the dormer would be set down only marginally from the ridge of the main roof. It would abut an existing roof light on one side and would sit out of alignment with the existing porch below, unbalancing the front elevation. It would also be finished in white PVC cladding, with a narrow central window emphasising the disparity in finishing materials.
10. In terms of its materiality, form and positioning, the proposed dormer would thus be out of keeping with the existing dwelling. It would therefore be an incongruous addition to the roof slope and immediate street scene and would not contribute to nor respect the prevailing character and appearance of the area.
11. I recognise that there are examples of front facing dormers in the vicinity of the appeal site. These are of varying degrees of aesthetic integration, and many are appreciably larger than the appeal proposal, however some are of considerable age. Where complementary materials and appropriate siting have been used, this has produced a well-balanced and sympathetic appearance. The other examples referred to however typically do not positively contribute to the prevailing character and appearance of their host dwelling or the surrounding area. This therefore does not provide compelling justification for further harm to be permitted in this case.
12. The proposal would have a harmful effect on the character and appearance of the host dwelling and surrounding area. It would conflict with Policy ENV1 of the Local Plan. This policy, among other provisions, seeks to ensure that all proposals contribute to safeguarding and respecting the diverse character and appearance of the area, and supports development that achieves a high quality of design, including by having regard to the specific characteristics of the site's wider context.

### **Other Matters**

13. The proposal would appear from the evidence provided to be advantageous to the appellant, including by providing improved living space for the first-floor accommodation. However, there would be insufficient public benefits to outweigh the identified harm and development plan conflict.

14. The application received no objections from Bilton Parish Council, statutory consultees or other interested parties. However, the absence of comments in support or against the application does not in itself demonstrate that the development is acceptable in respect of the main issue.
15. Other than where set out above, I have not identified conflict with any other relevant parts of the development plan or national policy and guidance. The proposal would also not cause harm to any heritage assets. However, the absence of harm or development plan conflict with respect to other matters weighs neither for nor against the proposal.

### **Conclusion**

16. The development conflicts with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

*Ryan Cowley*

INSPECTOR