
Appeal Decision

Site visit made on 8 May 2025

by **R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 12 June 2025

Appeal Ref: APP/N4720/D/25/3360972

1 Bamburgh Road, Manston, Leeds LS15 8UH

- 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 Forsey against the decision of Leeds City Council.
 - The application Ref is 24/06516/FU.
 - The development proposed is described as: 'New dormer to rear of bungalow, designed to permitted development standards.'
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The planning application form states that the development had already been started without consent but not completed. I observed that the dormer is in situ to the rear of the appeal property, and I have therefore determined the appeal on the basis that the development has already taken place.

Main Issue

3. The main issue is the effect of the rear dormer on the character and appearance of the area.

Reasons

4. 1 Bamburgh Road (No 1) is a detached bungalow designed with a simple pitched roof and projecting gable facing the road, located on the corner of Bamburgh Road and Smeaton Approach.
5. To the rear, a dormer has been constructed which allows two bedrooms and a bathroom to be accommodated within the roofspace. The dormer has been set in from either edge of the host roof, but it extends much of its width and is offset only a minimal amount from the eaves. Two windows are positioned just below the fascia of the dormer's flat roof, which is sited high on the roofplane, broadly aligning with the height of the existing ridgeline. This scale and siting results in the dormer appearing as a large and disproportionate addition to its host, all but consuming the rear roofplane.
6. When travelling along Smeaton Approach from the direction of Ravensworth Way only the side edge of the dormer can be seen. However, when travelling in the opposite direction, the full rear elevation of No 1 can be seen for a reasonable distance along Smeaton Approach and I observed the dormer appears an

obtrusive addition which is unduly prominent, despite the use of matching materials.

7. Although there is some variation in roof forms on either side of Smeaton Approach, the scale of the dormer is at odds with the modest roof forms of other bungalows on Bamburgh Road which have a cohesive and uniform appearance when viewed from Smeaton Approach and Barnard Way. Due to its siting high on the roofplane, existing high-hedges and trees and landscaping along the side boundary of No 1 (even when mature) would not be effective in enhancing the view from this location, nor would it provide effective screening of the dormer. The dormer therefore conflicts with the guidance in the Council's Householder Design Guide Supplementary Planning Document. This seeks that all extensions, additions and alterations should respect the scale, form, proportions, character and appearance of the main dwelling and locality, with particular attention paid to the roof form and roof line.
8. The appellant has drawn my attention to similar dormers on the estate which have been built without planning permission and dormers built in a location considered comparable but where prior approval was granted by the Council. I have no further information before me in respect of the location, context or circumstances under which these examples were constructed, but rear dormers are not a characteristic of Bamburgh Road or neighbouring Bamburgh Close, where bungalows have typically retained their original pitched roof form. I observed a wide but shallow dormer sited high on the roofslope of a dwelling to the rear of No 1, but this example points to the need to carefully control roof extensions rather than providing justification or support for the appeal proposal.
9. I therefore conclude that the rear dormer causes harm to the character and appearance of the area. It conflicts with Policy P10 of the Core Strategy (2019) and saved policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006). Together, amongst other things, these require good design and development which is of a size and scale appropriate to its context and respects the original building and the character and quality of surrounding buildings.

Other Considerations

10. I have sympathy with the appellant that there has been a genuine misunderstanding, and that the dormer was designed and constructed on the assumption that the appeal property benefitted from permitted development rights afforded by the Town and Country Planning (General Permitted Development) Order 2015 (GPDO). However, it falls outside the scope of this appeal for me to determine whether alterations or extensions would comply with the GPDO, or whether an alternative dormer would be acceptable. Moreover, I have no evidence before me that there was a lack of consultation on the planning application, or that the Council's decision was influenced by the lack of prior permission.
11. I have also had due regard to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This requires me to consider the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Protected characteristics include a person's age. I understand that any requirement to alter or demolish the existing dormer would cause stress and disruption to the elderly appellant. I have given

these personal circumstances very careful consideration, but they would be relatively temporary in nature, and do not outweigh the permanent harm to character and appearance that I have identified above. Therefore, it is necessary and proportionate to dismiss the appeal in the public interest.

12. Finally, I acknowledge the need for a larger, acceptable second bedroom and that alternative options for providing this are limited because of the existing internal arrangement of the bungalow and ground levels to the rear. I also note that, because of the separation distance between the dormer and neighbouring bungalows, the Council has raised no concerns in respect of overlooking, or loss of privacy. These are, however, neutral matters which do not alter my conclusions on the main issue.

Conclusion

13. The proposal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

R Gravett

INSPECTOR