



Appeal Decision

Site visit made on 10 December 2025

by **C Evans MTCP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 January 2026

Appeal Ref: APP/N4720/D/25/3374694

34 Penlands Crescent, Colton, Leeds LS15 9DQ

- 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 James Swales against the decision of Leeds City Council.
 - The application Ref is 25/03372/FU.
 - The development proposed is addition of rooflights to front and dormer with window to rear to form rooms in roof space.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In the banner above, I have used the description of development specified on the Council's notice of decision, as it most accurately describes the proposal, including the proposed rooflights to the front roof.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property, the terrace it is part of and the immediate area.

Reasons

4. No 34 is the middle property in a row of three terraced houses, that do not have any dormer roof extensions. It is located in a predominantly residential area and is part of a cul-de-sac containing similarly styled two storey properties. The pitched roofs on the properties in the immediate area are mostly unaltered, and collectively, the appearance of these properties contribute positively to the immediate areas character and appearance. The rear side of the appeal property is also visible from Burr Tree Garth, above the height of what are mainly bungalows on that road.
5. The Council has referred to the Householder Design Guide Supplementary Planning Document (SPD), dated April 2012. It says that dormer extensions should not dominate the existing roof in terms of their size, that they should maintain and respect features of the host dwelling, be set down from the ridgeline and set away from the sides. It further adds that the glazing should match the host dwelling and be in proportion to existing windows.
6. The proposed dormer would be a substantial addition to the existing roof and would not be set down from the existing ridge line. It would also only have very limited set-in from the sides. As a result, it would significantly dominate the rear

elevation of the host dwelling due to its large scale and boxy flat roof design. It would create an incongruous addition to the host property and the terrace that it is part of.

7. The proposed two windows on the dormer extension would not fully align with the windows on either the ground or first floors below them. Furthermore, the proposed bedroom window would also be of a different scale and glazing bar design to existing windows on the host dwelling. The resulting discordant appearance would add to the already identified harm to the character and appearance of the host property and its terrace.
8. From Burr Tree Garth, the proposed former extension would be clearly visible above the properties on that road. Its stark and bold appearance would jar with them and have a harmful effect on the character and appearance of the immediate area.
9. The appellant has drawn my attention to planning permissions approved by the Council for other dormer roof extensions. I have carefully considered the examples raised. Although there are some similarities to the proposed development, I am not certain that any of them are directly comparable to the appeal site, which is a mid-terraced property and also visible from a road to its rear side. Nevertheless, I am also not bound by other decisions of the Council when making my decision on this proposal. Moreover, I am required to determine this appeal on its own merits and those examples have not altered my findings in respect of the harm identified above.
10. The appellant has argued that the proposal would be permitted development, but for a planning condition included on an earlier planning permission relating to the wider residential development at that time. Whether this be so, the appeal property does not have permitted development rights for such roof extensions. Consequently, there is not a legitimate fall-back position in this respect, and this argument has not led me to conclude differently.
11. The Council has not raised any concerns regarding the proposed rooflights to the front of the property. I also concur that they would relate well to the character and appearance of the host property, the terrace it is part of and the immediate area. However, this aspect would not outweigh the harm identified above.
12. For the reasons above, I conclude that the proposal would cause unacceptable harm to the character and appearance of the host property, the terrace it is part of and the immediate area. It would conflict with Policy P10 of the Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019, adopted November 2014, and amendments adopted September 2019) and saved policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006), which collectively seek to deliver high quality innovative design that enhances streets and buildings, respects the original building, including through its scale and form and prevent a loss of visual amenity to the area.

Other Matters

13. The comments regarding the Council's handling of the planning application are noted. However, these are matters between the respective parties. My decision has focussed on the planning merits of the appeal proposal.

Conclusion

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

C Evans

INSPECTOR