
Appeal Decision

Site visit made on 4 June 2019

by Karen Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th July 2019

Appeal Ref: APP/N4720/D/19/3226291

39 Red Lane, Farsley, Pudsey LS28 5JE

- 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 Jack Carter against the decision of Leeds City Council.
 - The application Ref 18/07916/FU, dated 21 December 2018, was refused by notice dated 4 March 2019.
 - The development proposed is new rear dormer to existing loft.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposed development would preserve or enhance the character or appearance of the conservation area.
 - The effect of the proposal on living conditions of occupants of Red Lane, by reason of privacy and outlook.

Reasons

3. The appeal site is an 19th Century Victorian end terraced stone-built dwelling, situated within a predominantly residential area, it is located within the Farsley Conservation Area. The site is adjoining a public footpath and is adjacent to Red Lane Cricket Ground. There are a number of properties in the locality which have roof extensions and alterations including the row of terraces the site sits within, these being roof lights on both front and rear elevations.

Character and Appearance

4. The Conservation Area Appraisal and Management Plan, dated 17 May 2010, identifies the site in Character Area 6-Low Bank. This has key aims to retain characteristics of the area and acknowledges the area has a variety of types of residential architecture. In order to retain the area, there should be no incremental loss of character on terrace rows. It specifically does not refer to dormers but considers the loss/change of detailing on these rows, can result in the loss of character to the row as a whole, and in turn impact negatively on the conservation area.

5. The proposed rear dormer would be set back from the eaves with a flat roof and would be very close to that of the main roof, whilst the dormer would occupy most of the roof space. The proposed materials would be unsympathetic as the zinc cladding would be extensive on the dormer and would be at odds with the existing stone dwellings. Therefore, the height and depth would result in an unbalanced and bulky addition, combining this with the flat roof design and proposed materials would significantly alter the appearance of the existing simplistic gable roof form of the property and along the row of terraces, resulting in a negative visual impact.
6. The property is prominent in views from the footpath, Broad Street and across the Cricket Ground. The footpath and Broad Street both fall within the Farsley Conservation Area. The dormer would be clearly visible from these areas when viewed and would appear as an incongruous addition. It would significantly alter the character and uninterrupted roof slopes along the row of terraces, to the detriment of the existing visual qualities of the terraced row and the setting of the wider area.
7. In support of the appeal, my attention was drawn to other properties in the area that have already been extended in a similar manner to the dormer proposed. I saw that these are very much in the minority to the proximity of the appeal site and I do not know the circumstances of those cases or the policies that applied at the time of their consideration. In any event, those that I saw served to confirm that such dormer extensions alter the nature of the relationship of uninterrupted roofscapes of terraced blocks, to the detriment of the character and appearance of the area.
8. Therefore, the proposal would fail to preserve the character and appearance of the Farsley Conservation Area. It would be contrary to Policies P10 and P11 of the Leeds Core Strategy (2014), Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan Review (2006), and Policy HDG1 of the Householder Design Guide (SPD), (2012), which all have regard to development delivering high quality design, respecting the character and quality of surrounding buildings and wider public realms and protecting and enhancing historic and natural assets; where extensions in conservation areas should be in harmony with adjoining buildings and the area as a whole.
9. I also find the proposed development would not conserve the heritage asset in a manner appropriate to its significance, or positively contribute to local character or distinctiveness in line with the aims of the National Planning Policy Framework (The Framework), Section 16 Conserving and enhancing the historic environment.

Living Conditions

10. The proposed dormer would be central on the rear roof and set back from the eaves. The dormer would also be visible from neighbouring properties but in terms of its siting and design, I consider that the outlook from properties on Red Lane would not be unduly affected. In terms of privacy, the windows of the dormer would overlook the rear garden of No 37 Red Lane. However, this property already experiences direct overlooking from the existing first floor bedroom windows of the appeal property, therefore I consider that the additional windows proposed within the dormer would not result in an

increased harm to privacy. The proposed dormer would also meet the Council's guidance on window distance.

11. For these reasons and having regard to the neighbour comments from No 37 Red Lane relating to privacy and outlook, I consider that the proposed rear dormer would be acceptable in terms of its effect on the living conditions of neighbouring occupiers, but that does not outweigh my findings in respect of character and appearance on the conservation area.

Other Issues

12. In terms of highway safety, the property benefits from an existing garage, albeit small, and a driveway. The adjoining neighbour had raised concern over the parking situation, having considered this and the Council's assessment. As there are no parking restrictions on Red Lane, and the proposals would not generate the need for additional parking spaces I consider the proposal would not be harmful to highway safety and would not exacerbate any existing parking provision.

Conclusion

13. I have found that the proposed dormer would not cause harm to the living conditions of neighbouring occupants. However, it would fail to preserve the character and appearance of the Farsley Conservation Area and this is sufficient reason to dismiss the appeal. For the reasons given above the appeal should be dismissed.

Karen Taylor

INSPECTOR