
Appeal Decision

Site visit made on 18 February 2020 by C McDonagh BA (Hons), MA

by Jonathan Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 April 2020

Appeal Ref: APP/N4720/D/19/3238852

27 Churchfield Road, Rothwell, Leeds, West Yorkshire, LS26 0EJ

- 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 Mrs Diane Sutcliffe against the decision of Leeds City Council.
 - The application Ref 19/03323/FU, dated 23 May 2019, was refused by notice dated 23 July 2019.
 - The development proposed is loft conversion with hip to gable extension and rear dormer.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues in this appeal are the effects of the proposed development on the character and appearance of the host property and whether the proposal would preserve or enhance the character and appearance of the Rothwell Conservation Area (CA).

Reasons

4. The appeal property is a two-storey, red-brick dwelling with a pantile roof located in a residential area. Churchfield Road contains a number of house styles, with semi-detached, detached and terraced all present and ranging in age. As such there is not a set style or design to the houses in the area, although similar houses are generally grouped together.
5. The proposal involves the erection of a dormer window to the rear elevation of the property, with the existing hipped roof extended out to form a gable end, facilitating the width of the dormer to provide additional living space in the loft.
6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

7. The ridge of the proposed dormer would sit flush with the ridge of the host roof and extend nearly the full width of the extended roof, with a slight set-back from the eaves. Given the scale of the proposal, it would lack subordination to the host property, despite the use of matching materials. While the dormer may be located to the rear, the extended width of the original roof to facilitate this would add significant bulk to the building making it top heavy and changing the character and appearance of the property by significantly altering the original roof form. I note the contention that the existing dormer is at odds with the host building; however, while this may be the case, I must assess the proposal before me on its own merits.
8. From the street, the additional bulk and formation of a gable end would unbalance the pair of semi-detached dwellings and appear at odds with the matching pair next door, all of which have hipped roofs. While I take on board the argument that there are a range of roof styles on Churchfield Road, these neighbouring examples, as well as the three pairs of semi-detached properties opposite, all have hipped roofs. The appeal property is read in context with the adjoining and adjacent pair and this symmetry would be interrupted if a large gable extension were to be constructed, causing harm to the street scene as a result.
9. I note the contention that the hipped roof is not a prominent feature of the appeal and neighbouring properties. However, this additional bulk would add to its prominence in the street scene and highlight the incongruity of the gable when viewed alongside the neighbouring hipped roofs. My attention is also drawn to a photo of a similar development featuring a large rear dormer, as well as alterations made to other properties in nearby Sandy Bank Avenue, Churchfield Lane, and Haigh Road. However, I have no further information on these developments, such as the circumstances of their approval or otherwise. Furthermore, each case must be considered on its own merits.
10. The appellant argues the appeal property does not share certain characteristics highlighted in the CA appraisal and as such should not be subject to the restrictions of a CA regarding development management. However, the CA appraisal quoted by the Appellant identifies semi-detached pairs along Churchfield Road forming a distinctive element of the area's special character. Given the development would unbalance one such pair and cause harm in the street scene, the proposal would neither preserve nor enhance the character or appearance of CA. The harm caused to its significance would be less than substantial. Paragraph 196 of the National Planning Policy Framework (the Framework) states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, such harm should be weighed against the public benefits of the proposal.
11. While I note there would be private benefits to the proposal, such as increased living space and fixing issues with the current layout of the property, there are no public benefits forwarded by the appellant which would weigh in favour of the proposal. As such, I do not consider that public benefits would outweigh the harm I have identified; harm which, given the requirements of the Act and guidance in Paragraph 193 of the Framework, carries great weight. The proposal would therefore be contrary to the aims of the Framework in this regard.

12. I therefore conclude that the proposed development would have an adverse effect on the character and appearance of the host property and would neither preserve nor enhance the character and appearance of the Rothwell Conservation Area. The proposal would be contrary to policies P10 and P11 of the Leeds Core Strategy and policies BD6, GP5 and N19 of the Leeds Unitary Development Plan Review, and the SPD. Collectively these seek to ensure development respects and enhances existing streets and buildings, conserves heritage assets and protects the quality and character of townscapes.

Other Matter

13. I understand the appellant has raised funds against the property to pay for the works proposed. While I appreciate the return of this money may cause financial penalties, this is not of relevance to my assessment of a Section 78 appeal and as such, cannot weigh in favour of the proposal.

Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

J Hockley

INSPECTOR