



Appeal Decision

Site visit made on 5 October 2020

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/Z4718/D/20/3257425

20 Arnold Street, Birkby, Huddersfield HD2 2TB

- 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 Nustrat Azam against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2020/62/90595/W, dated 24 February 2020, was refused by notice dated 1 June 2020.
 - The development proposed is a loft conversion with front and rear dormers.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed dormers on character and appearance, with regard to Birkby Conservation Area.

Reasons

3. The appeal site is located on Arnold Street, which is within a residential area, and located within the Birkby Conservation Area (CA). The special features of the CA and the prevailing character of the area comprise of two storey period terraced properties, characterised by their uniform appearance. This consists of elevations constructed with natural stone materials, and pitched roofs covered with natural slate, with chimney stacks piercing above the plane of the roof at regular intervals. There is a gradual stepped appearance to the roofline of the terraces, which provides a rhythm along the street. The appeal property inherently portrays these features and as such contributes to this special character of the area.
4. The proposed dormer window to the front of the property would be setback from the front elevation and would be centrally located within the front facing roof slope of the dwelling, and it would extend approximately a third of the width of the property. The dormer to the rear would similarly be set back, however it would be larger and encompass the majority of the rear roof slope. With their uncharacteristic flat roof design, both dormers would have a box-like appearance.
5. By virtue of the appeal sites location, both dormers would be visible from vistas taken from the nearby streets. Whilst it may be modest in width, the projection of the front dormer would result in its side cheeks appearing prominent to passers-by when traveling along Arnold Street. Whereas, due to its sheer scale,

- the rear dormer would be particularly noticeable from Sufton Street through a break in the built up frontage adjacent to No 3.
6. The dormers would appear unsympathetic to the character and appearance of the surrounding area, as they would appear obtrusive and interrupt the overriding rhythm and pattern of the roofscape. They would appear as an incongruous feature in the roofline, causing harm to the street scene and the prevailing character and appearance of the area. As such, they would fail to preserve or enhance the special character of the CA.
 7. The Council have stated that the harm to the significance of the CA would be less than substantial. Based on the evidence before me I have no reason to disagree. The proposal would enhance the level of accommodation and provide additional living space for a growing young family. In terms of public benefits, at best this would make a very small contribution to enhancing housing stock, to which little weight is attributed. This does not outweigh the great weight which should be given to the asset's conservation.
 8. I have taken into account that the elevations of the dormers would be constructed in materials to match the existing roof. However, this does not overcome the harm that would be caused by the overall scale and form of the appeal proposal.
 9. I note that there are other dormers within the vicinity of the appeal site, however given the small number I do not consider these contribute to the prevailing character of the area. Furthermore, I am not aware of the circumstances of each. Regardless of this, they do not provide any justification and I must consider this proposal on its own merits.
 10. Consequently, the proposal would harm the character and appearance of the area and it would fail to preserve or enhance the CA. The development is inconsistent with Policies LP24 and LP35 of the Kirklees Local Plan (2019), insofar as they relate to ensuring new development is of a high standard of design, that respects local character, and preserves or enhances Conservation Areas. It is also inconsistent with paragraph 193 and 196 of the Framework.

Conclusion

11. For the above reasons, I conclude that the appeal should be dismissed.

R Cooper

INSPECTOR