



Appeal Decision

Site visit made on 18 February 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 February 2021

Appeal Ref: APP/N4720/D/20/3263669

10 Pine Tree Avenue, Boston Spa, Wetherby LS23 6HA

- 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 Owen Edwards, Prestige Design against the decision of Leeds City Council.
 - The application Ref 20/04399/FU, dated 21 July 2020, was refused by notice dated 23 October 2020.
 - The development proposed is described as “2 pitched dormers.”
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Decision

1. The appeal is dismissed

Preliminary Matters

2. Part E of the appeal form states that the description of development has not changed, even though an alternative description has been entered. This description matches the description of development on the decision notice. I have used this description of development because it more accurately and concisely describes the development proposed.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area, including the Boston Spa Conservation Area (BSCA).

Reasons

4. Boston Spa is a largely linear settlement, with development centred on High Street. From the evidence before me, including my site visit, the character of Boston Spa largely derives from the period properties that predominate the built environment, making a strong positive contribution to the visual qualities of the area.
5. The Conservation Area is relatively large, including the River Wharfe. I find the importance of the Area to be largely drawn from its vibrant mix of uses, the high quality and consistent architectural style of many buildings within it, the visual dominance of the older period properties, and the relationship of distinctive spaces with built development.
6. The appeal property is a mid-terrace period property that is typical of this part of the BSCA, the rear roof in common with a number of neighbouring properties has been altered with the insertion of rooflights. The appellant asserts that the rear of the appeal property is subject to limited views from public areas and the street scene. However, I noted at my site visit that by virtue of the location of the appeal property on Pine Tree Avenue near to the

junction of Bridge Road and in combination with the a narrow alley that is also linked to Bridge Road, the roofscape of the appeal property is visible to the wider area, including public areas.

7. The appellant details that the appeal scheme conforms to the specification of the Household Design Guide (the HDG). I note that HDG1 requires that "particular attention should be paid to: i) the roof form and roof line" and that, while requiring dormer windows to be "small, well designed additions which retain the original roof form" the HDG notes that "Dormer windows to the rear which do not face a public highway or other public area may be marginally larger to provide extra accommodation within the roof."
8. However, the submitted plans show that the dormer windows are large in themselves and in scale to the roof of the appeal property, dominating the roofscape as a result. The proposed dormers are set only marginally down from the ridge line and up from the eaves of the roof. The scale and design of the proposed development results in a long expanse of slate both to the front of the dormer windows and stretching back to the roof slope of the appeal property.
9. At the site visit I noted only a small number of other dormer windows in the local area. These dormers, and those referred to by the appellant¹, were not directly comparable to the appeal scheme being of a notably more modest scale. The appellant also referred other planning permissions², but I have not been provided with full details of these developments. As a result of my observations at the site visit, I find that dormer windows are not a characteristic of this area.
10. Consequently, the proposed dormers would appear as an incongruous feature, out of scale with the existing modest roofscape of the appeal property and the other properties in the terrace. I therefore find that the appeal scheme would harm the overall character and appearance of the area including the BSCA. This harm would be 'less than substantial' as directed by the Planning Practice Guidance, but I attach considerable importance and weight to the statutory duty imposed by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
11. On the basis of the evidence before me, I find that the dormer windows would harm the character and appearance of the area and they fail to preserve the character and appearance of the BSCA. As such, the development is in conflict with policies P10 and P11 of the Core Strategy (as amended), policy DES2 of the Boston Spa Neighbourhood Plan, Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan (review), and the Householder Design Guide (SPD), that amongst other matters seek to promote good design and conserve the historic environment.

Conclusion

12. For the reasons given above I conclude that the appeal should be dismissed.

¹ Chapel Cottage, 3 The Grove, Claredon Road, and 198 High Street.

² Willow Green Cottage (16/00870/FU), Fairfield 9 Cheshunt Avenue (15/05171/FU).

Mark Brooker

INSPECTOR