



Appeal Decision

Site Visit made on 22 June 2021

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th July 2021

Appeal Ref: APP/N4720/D/21/3272327

34 Salisbury Street, Calverley, Pudsey LS28 5PY

- 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 Property Projections Limited against the decision of Leeds City Council.
 - The application Ref 21/00162/FU, dated 6 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is described as addition of dormer window to an already existing third floor bedroom.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Calverley Conservation Area (CCA).

Reasons

3. The appeal property is an end of terrace house. It has a stone front elevation and a rendered side and rear elevation. There is a footpath to the side of the property that leads to Salisbury Place. It is located within the Calverley Conservation Area which is characterised by its historic village core and 19th Century development of residential properties. The appeal property is recognised in the Calverley Conservation Area Appraisal & Management Plan (2009) as a positive building in the CCA and is within an area specifically identified as forming part of the late 19th century expansion of the village.
4. The rear of the property, onto which the dormer window is proposed is clearly visible from the footpath that runs to the side of the property. On my site visit, I saw that, notwithstanding the unauthorised dormer window at the appeal property that is proposed to be removed, there were three dormer windows to the rear elevation of properties on the terrace. There are no dormer windows to the front of properties on the terrace. Looking at the terraces in the immediate area, it was clear that there were limited dormer windows, with the majority of roof conversions incorporating rooflights. This has resulted in a largely unbroken roofscape that is a positive feature of the street-scene and this part of the CCA.
5. The proposed dormer window, although aligning with the fenestration beneath and being of traditional design and materials, would nevertheless result in an intervention into the roof-slope that would, due to its scale and siting, cause

- harm to the relatively unbroken roof-scape which is a positive feature of the CCA.
6. I acknowledge the existence of the small number of other dormer windows in the rear of the terrace. Some of these, most notably the example at no. 32 serve to confirm the harm that can be done from inappropriate roof interventions. They do not justify allowing further harm to be caused. I also acknowledge the example referred to by the appellant on Carr Road. Although I do not have full details, this is to a different property in a different street. I have also determined the appeal on its own individual planning merits.
 7. The appellant has referred to the appeal property being double fronted and of a book-end appearance. I acknowledge that the design of the appeal property differs slightly from the rest of the terrace and includes a small step down in the eaves and ridge level. These are however minor differences that are not highly noticeable and less apparent from the rear elevation. They are not reasons to allow the appeal in light of my findings above.
 8. Whilst each application and appeal must be treated on its individual merits, allowing the appeal could be used in support of such similar schemes. I consider that this is not a generalised fear of precedent, but a realistic and specific concern given the shared characteristics with similar properties in the area. Allowing this appeal would make it more difficult to resist further planning applications for similar developments, and I consider that their cumulative effect would contribute to an overall harm to the wider area which I have described above.
 9. I therefore conclude that the proposed dormer window would fail to preserve or enhance the character and appearance of the CCA. It would be contrary to Policies P10 and P11 of the Leeds Core Strategy (As amended 2019) and Saved Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006). Collectively, these policies seek, amongst other things, to ensure that proposals for development are of good design and either preserve or enhance conservation areas.
 10. The proposal would also be contrary to the National Planning Policy Framework (2019) (the Framework), which requires, amongst other things, that development is of high-quality design, sympathetic to local character whilst sustaining and enhancing the significance of heritage assets.
 11. The proposal would also be contrary to guidance contained in the Leeds Householder Design Guide Supplementary Planning Document (2012) which outlines that extensions or alterations which harm the character and appearance of the main dwelling or the locality will be resisted.

Other Matters

12. I have been referred to the lack of objections that have been received to the proposed development. This is however a neutral factor in the balance. Similarly, the fact that the proposed development would replace an unlawful flat roof dormer is a neutral factor and does not overcome the harm I have identified with the proposed development.
13. The appellant refers to renovations they have made to the appeal property. I accept the appellants honest intentions on these undertakings; however, I do

not find that they are relevant to my consideration of the appeal proposal which is for an entirely separate development.

14. The appellant alludes to the necessity of the proposed development in terms of increasing the size of their family home. This is however a matter of personal circumstance that seldom carries significant weight in the decision-making process that is primarily concerned with land use planning matters. Either way, such personal circumstances do not outweigh the harm I have identified.

Planning Balance and Conclusion

15. Having regard to paragraph 196 of the Framework, I find that the harm to the CCA is relatively localised and therefore the proposal would cause less than substantial harm to the significance of the Conservation Area. I do not, however, find that this harm is outweighed by any public benefits of the proposal.
16. For the reasons set out above I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR