



Appeal Decision

Site Visit made on 11 May 2021

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2021

Appeal Ref: APP/N4720/W/21/3266948

70 Cliff Road, LEEDS, LS6 2EZ

- 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 Dr Kyle Griffith against the decision of Leeds City Council.
- The application Ref: 20/06102/FU, dated 23 September 2020, was refused by notice dated 18 December 2020.
- The development proposed is described as: Dormer window to rear; roof lights to front.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. From the evidence, the proposal was originally submitted and described as 'Loft conversion with hip to gable extension and rear dormer'. The Appellant's Statement of Case sets out that this was subsequently revised to omit the hip to gable conversion and reduce the size of the proposed dormer. This is reflected in the decision notice issued by the Council which describes the proposal as 'Dormer window to rear; roof lights to front'. I have, therefore, used the description from the decision notice for the purpose of the appeal and determined the appeal on the basis of the amended scheme.
3. I have noted the appellant's comments in respect of inconsistencies in the planning officer's report and have noted that the concluding paragraph does not reflect the preceding reasoning, or the reason for refusal set out in the report. However, the decision notice issued by the Council represents the formal determination made by the Council on the planning application. This sets out the Council's formal reason for refusal and I have considered the appeal based on this. Similarly, although I have noted that there were discussions between Council officers and the appellant prior to the application being determined, I have to consider the appeal based on the Council's formal reason for refusal set out in the decision notice.

Main Issue

4. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area, bearing in mind the special attention that should be paid to the extent to which it would preserve or enhance the character or appearance of the Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area.

Reasons

5. The appeal property is a part of two storey, brick built, building that contains four flats. Although broadly rectangular in plan, to the ground floor front elevation there is a projecting element containing the entrances to the flats, and the central section of the rear elevation projects slightly beyond the main rear walls. The building has a tiled, hipped, roof with a central section that also projects beyond the main roof plane to the rear elevation to accommodate the projection of the rear wall. The building dates from the mid-twentieth century and is set at an angle to Cliff Road. A second, similar, building is sited to the north. The appeal proposal sought planning permission to construct a box dormer on part of the rear roof slope and the insertion of three rooflights in the front roof plane to facilitate a loft conversion to one of the upper floor flats.
6. The building is located within the Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that in considering planning applications and appeals within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. The Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area covers a large area to the north of the city centre of Leeds. The part that contains the appeal building is characterised by a mixture of large detached villas, terraces and some back-to-back dwellings, predominantly from the nineteenth century, although there are some twentieth century insertions of smaller semi-detached and terraced buildings. As a result, there is a mix of house types in a variety of layouts with some developments fronting the street, but others at right angles to it. Some houses are set well back from the road, but others are located at the back of the footpath.
8. The Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area Appraisal and Management Plan 2012 (the CAAMP) sets out that the special interest of the conservation area is derived from it being the first and premier suburb in Leeds for successful business families escaping from the smoke of the city centre from 1830 onwards, initially in stone villas in large plots on both sides of Headingley Lane and on Woodhouse Cliff. Development later in the nineteenth century took place off new cul-de-sac service roads leading towards Woodhouse Ridge, and between Headingley Lane and Woodhouse Moor where terraced housing predominated. The Woodhouse Cliff area, where the appeal building is located, was mainly developed in second half of the nineteenth century.
9. Given the above, I find that the significance of the conservation area, insofar as it relates to these appeals, to be primarily associated with the evidential and historical value that it provides of the development in the nineteenth century of a new suburb for wealthy occupiers and of the architectural styles and taste of the period. It also has evidential value illustrating the changes in form and layout over time due to an increasing population and changing demographic resulting in smaller, terraced, properties being developed in the later phases compared to the larger villas of the earlier stage of development. The conservation area has an aesthetic value derived from the mix of building forms, types, and layouts providing attractive street scenes, and the large

- number of mature trees which combine with large gardens and open spaces to give the area a verdant appearance.
10. In addition to the more general design policies in the Leeds Unitary Development Plan [Review 2006] (the UDP) and the Leeds Core Strategy [as amended by the Core Strategy Selective Review 2019] (the Core Strategy), the Council has adopted specific design guidance in respect of extensions to dwellings in the form of the Householder Design Guide 2012 Supplementary Planning Document 2012 (the HDG). Specific design guidance for the local area is contained in the Headingley and Hyde Park Neighbourhood Design Statement Supplementary Planning Document 2010 (the NDS).
 11. The HDG expects that alterations to dwellings should respect the scale, form, proportions, character, and appearance of the main dwelling and the locality, with particular attention paid to the roof form and roof line, amongst other things (Policy HDG1). The NDS sets out that dormer windows will only be acceptable on main/principal frontages, i.e. facing streets or public spaces, where they are appropriate in terms of design, character, scale and materials in relation to both the individual property in question and the wider street. The NDS also expects that any dormer or roof extension should match the original roof in terms of pitch, eaves, and materials.
 12. Although the building containing the appeal property is a mid-twentieth century insertion into the older built form of the conservation area and is not identified in the CAAMP as making a positive contribution to it, the building and its identical neighbour nonetheless have an intrinsic architectural integrity being designed as purpose-built blocks of four flats. The building and its neighbour are also part of the established appearance of the conservation area, with their unique design and unusual siting in relation to the road adding to the attractive variety of building styles and forms that characterise the area.
 13. The proposed large, flat roofed, box dormer on the rear roof slope would add substantial additional massing to the upper part of the building and would cut into, and across, the projecting central section of the roof plane. The building containing the appeal property was built as a symmetrical block with the projecting central section of the rear elevation providing visual interest and articulation the rear of the block. This would be disrupted by the addition of a large feature, offset within the roof plane and cutting into the projecting central section. The long, flat, roof set just below the ridge of the main roof and close to the slope of the hipped end to the main roof, together with the front face of the dormer, would result in it appearing as a disproportionately large feature within the context of the roof planes.
 14. The building also has a regular pattern of fenestration across the rear elevation and the windows within the proposed new dormer would not align with those on the floors below, nor would the cheeks of the dormer align with the edges of the window openings on the lower floors. Consequently, the proposed new dormer would appear as an incongruous addition that does not reflect the design of the original building.
 15. Although the proposed dormer would face onto Sycamore Close, due to the angled siting of the building, I observed that the proposed dormer would be visible in views up Cliff Road from the south as well as from parts of Sycamore Close. I do, however, accept that there is a degree of screening by trees on the boundary with Sycamore Close. Nonetheless, the proposal would be

visually prominent, which would be exacerbated by the size of the proposed dormer in relation to the roof and the angled siting of the building revealing more of the three dimensional form of the dormer. As such, it is capable of harming the wider character and appearance of the conservation area. In addition, for the reasons set out above, it would not comply with the requirements of the HDG and NDS.

16. My attention has been drawn to a number of other dormer windows in the area, although those cited by the appellant in his statement of case are both smaller and of a different design to the appeal proposal. I also observed during the site visit that there are a number of larger box dormers on properties on Cliff Road. Whilst I accept that these are present, I do not have any information relating to the circumstances that led to these being accepted or the policies that were in force at the time.
17. I saw that in contrast to the smaller dormers that are present on some other properties, either as original features or added later, these large box dormers significantly alter the roofline and perceived proportions of their respective properties and do not make a positive contribution to the appearance of the conservation area. As such, I do not find that they amount to a persuasive precedent for the appeal proposal. Nor do I consider that the fact that the neighbouring similar building has been extended at ground floor level a compelling argument that a roof level extension should be accepted. In any event, each planning application and planning appeal must be considered on its own merits.
18. I have also had regard to the fact that the Council have not raised any concerns regarding the installation of rooflights. From what I have read and from what I saw when I visited the site, I have no reason to find otherwise on this point. However, this does not lead me to reach a different conclusion on the scheme taken as a whole.
19. Given the above, I find that the proposal would cause harm to the appeal building and the appearance of the conservation area and fail to preserve its significance. Consequently, I give this harm considerable importance and weight in the planning balance of this appeal.
20. Paragraph 193 of the National Planning Policy Framework 2019 (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, in this case the Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area, great weight should be given to their conservation. Paragraph 194 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets that this should have a clear and convincing justification. Given the relatively localised effect of the proposed development and the overall size of the conservation area, I find the harm to be less than substantial in this instance, but nevertheless, of considerable importance and weight.
21. Under such circumstances, paragraph 196 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The appellant is of the opinion that the proposal would be beneficial because it would contribute to providing family sized accommodation in the area and contribute to the diversity of the housing stock in the area, in addition to providing the appellant with additional living space. I have no evidence before me in respect of housing supply or housing need in the local area, nor is there

any evidence in respect of relative affordability of different property types. Nevertheless, increasing the diversity of housing sizes and types available does weigh moderately in favour of the proposal. Although I can appreciate that it may be advantageous for the appellant to have additional living space, this is a private rather than a public benefit to which I cannot give any weight. Whilst the proposal would result a small scale public benefit, this is not sufficient to outweigh the harm that I have found.

22. I have also noted the representations that were made in respect of a different proposal at the appeal site by the North Hyde Park Neighbourhood Association. However, I do not have any details of this proposal. This notwithstanding, the comments refer to the Association being supportive of small dormers, which is not what is proposed by the appeal scheme. Consequently, I can give little weight to these comments in respect of the current proposal.
23. I therefore find that the proposed development would cause harm to the character and appearance of the Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area. It would be contrary to the relevant requirements of Policies P10 and P11 of the Core Strategy; Policies GP5, BD6 and N19 of the UDP and Policy HDG1 of the HDG, the Headingley and Hyde Park Neighbourhood Design Statement SPD, and the Headingley Hill, Hyde Park and Woodhouse Moor Conservation Area Appraisal and Management Plan which, when read together, expect new development to provide a good design that is appropriate to its location and which protects, and enhances, historic assets and locally important buildings; respects the scale and detailing of the original building; and preserves or enhances the character and appearance of conservation areas.

Other Matters

24. I have had regard to the letters of support of the proposal from other local residents which were included in the appellant's Statement of Case. However, for the reasons set out above under the main issue, these do not lead me to a different conclusion.

Conclusion

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

John Dowsett

INSPECTOR