

Appeal Decision

Site visit made on 15 February 2022

by E Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18th February 2022

Appeal Ref: APP/Z4718/D/22/3290546

83 Boothroyd Lane, Dewsbury, West Yorkshire, WF13 2LL

- 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 Moeen Ahmed against the decision of Kirklees Council.
 - The application Ref 2021/62/93252/E, dated 16 August 2021, was refused by notice dated 7 December 2021.
 - The development proposed is dormer to front and rear elevation.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application sought permission for front and rear dormers. During the Council's consideration of the application the rear dormer was removed from the scheme. The Council confirms that it therefore determined the application in relation to the front dormer only, and on the basis of amended drawings provided by the appellant. I have dealt with the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed front dormer on the character and appearance of 83 Boothroyd Lane and the surrounding area.

Reasons

4. The appeal property is mid terrace house in a residential area. The proposed front dormer would project some 3.65 metres forward of the roof plane with a width of 5 metres. It would have a double gable design with a pitched roof and would be set up from the eaves of the host dwelling by around 0.75 metres. The ridge of its roof would be set down from that of the host property by approximately 0.35 metres. It would be centrally located on the roof and clad in hanging tiles on its face, cheeks and roof to match the host dwelling.
 5. Nevertheless, the proposed dormer would occupy much of the appeal property's front roof plane and project well forward of it. It would be set in from the sides of the roof by only 0.15 metres and would effectively fill its entire width. Despite its set up and down, it would be a considerable structure that would dominate the property's front roof.
 6. As well as its excessive massing, the proposal's dual pitched roof and double gable design would introduce an uncharacteristic and jarring feature. The two
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proposed windows would relate poorly to the existing fenestration of the host property and fail to align with the existing pattern of openings at ground or first floor level. This being so the proposal would sit uncomfortably on the host property and appear discordant there.

7. The appeal property sits within a row of four similar properties which have unaltered front roof planes. The adjoining pair of properties to the west are of a different design but are also without alterations to their front roofs. Thus, the original roof forms and unbroken roof slopes of the row of properties in which the appeal property sits are retained. In this context, the proposed dormer would stand out as an incongruous and unsympathetic addition that would fail to respect the appearance of the appeal property and its immediate neighbours. Given its prominent position to the front of the appeal property it would be highly visible in Boothroyd Lane in close range views and on approach from both directions.
8. I appreciate that there are existing front dormers at Nos 73 and 75 Boothroyd Lane to the east of the appeal property. Whilst I am not aware of the full circumstances that led to that development, the Council advises that it was permitted prior to the adoption of the Kirklees Local Plan (Local Plan), the House Extensions and Alterations Supplementary Planning Document (SPD) and the National Planning Policy Framework (the Framework).
9. In any event, these dormers are smaller than the proposal before me and do not form part of the row of properties in which the appeal building sits. They relate to a different and distinct terrace of houses on other side of St John Street. Thus they are well separated from the appeal property and are appreciated in a different context and not as part of the immediate section of the street scene which includes the appeal property. As such, this existing development does not justify the appeal scheme.
10. Bringing matters together, for the reasons given, the proposed dormer would detract from the appearance of the host property, and interrupt the stretch of unaltered original roof planes in which it sits, to the detriment of the character and appearance of the terrace and the street scene.
11. I therefore conclude on the main issue that the proposed front dormer would be harmful to the character and appearance 83 Boothroyd Lane and the surrounding area. This would conflict with Local Plan Policy LP24 criterion (a) of which requires proposals to promote good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape. It would also be contrary to SPD Key Design Principle 1 which states that extensions and alterations should be in keeping with the design and local character of the area and the street scene, and with SPD Key Design Principle 2 which advises that extensions should not dominate the original house and should be in keeping with the existing building in terms of scale, materials and design.
12. Since the proposal would conflict with these policies, and having taken all material considerations into account, it would therefore not be in accordance with the development plan as a whole. Furthermore, it would undermine the aims of paragraph 130 (c) of the Framework which seeks to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

Other Matters

13. The proposal would allow the creation of a further bedroom. Due to the limited space to the rear of the appeal property other forms of extension to create additional space are not suitable. However, these benefits of the proposal to the appellant are insufficient to outweigh the harm I have identified in relation to the main issue in this case.

Conclusion

14. For the reasons set out above, I conclude that the appeal should be dismissed.

E Worthington

INSPECTOR