



Appeal Decision

Site visit made on 31 May 2022

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 July 2022

Appeal Ref: APP/A4710/D/22/3296673

27 Rhodes Street, Halifax HX1 5DE

- 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 Hassan Ali against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 21/01326/HSE, dated 30 September 2021, was refused by notice dated 16 February 2022.
 - The development proposed is described as 'Dormer extension front and rear'.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council has erroneously referred to a 'first floor rear extension' within their reason for refusal. Based on the plans before me, the appeal proposal does not include any extension to the first floor of the host dwelling. I am satisfied that the appeal can be determined on the basis of the submitted plans and the appellant's description of the proposal.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the People's Park Conservation Area (CA).

Reasons

4. The appeal site is a mid-terrace 2-storey dwelling with stone facing and a slate roof, within the north-eastern portion of the CA. The western side of Rhodes Street and others in this area are characterised by traditional terraced dwellings of similar scale and appearance, situated in uniform rows close to the footpath. To the east, and beyond the CA, the urban grain is less structured, where it is punctuated by more recent housing developments and commercial or industrial uses.
5. The significance of this part of the CA therefore, insofar as it relates to this appeal, derives from the consistency in the scale, layout and appearance of the terraces in this area and how they frame the street. The consistency in the positioning and scale of dwellings provides for a coherent roofscape, where unaltered, of slate tiles and stone chimneys adorned by distinctive chimney pots. The building on the appeal site contributes to the significance of the CA as part of the original terrace, with the roof notably being of its original form.

6. Dormer extensions can be found sporadically in various forms throughout the area, and the appellant has highlighted a similar appeal case dating from 2006 at 21 Hampden Place, where front and rear dormers were allowed. The full details of that case are not before me, and ultimately each case must be considered on its own merits, however I have had regard to other examples both presented to me in support of the appeal and observed on site when considering the character and appearance of the CA. There is little consistency in the siting, size, design or materials of the existing dormer extensions in this area and, in many cases, they appear out of keeping with the scale and appearance of their host property, disrupt the otherwise coherent roofscape and, viewed from ground level, obscure more significant features such as the distinctive chimneys. Existing examples of dormer extensions therefore typically detract from the prevailing harmonious character of the area and, in this context, the original form of the roof of the building at the appeal site has greater significance to the CA.
7. The proposal is similar in design to existing flat roof dormers either side, and others in the wider area, albeit would be comparatively smaller and finished in different materials. Notwithstanding this, it would still span most of the width of the front and rear roof slopes, and the proposed window style and proportions, roof design and finishing materials do not reflect those of the host dwelling. The proposal would therefore appear as an incongruous addition to the roof and would reduce the visibility of original roof features.
8. An element of screening would be afforded to the proposal in views along Rhodes Street by existing dormers either side. However, the proposed dormers (both front and rear) would still be clearly visible in the surrounding area given their elevated position. The proposed development, due to its incongruent nature, would therefore further detract from the prevailing character of the CA.
9. In relation to the main issue, and with regard to s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal would not preserve or enhance the character or appearance of the CA. This would not therefore comply with saved policy BE18 of the Replacement Calderdale Unitary Development Plan, adopted August 2006. That policy reflects this statutory duty and amongst other things requires the form, design, scale and methods of construction respect the characteristics of the buildings in the area.
10. With respect to paragraph 202 of the National Planning Policy Framework, less than substantial harm would be caused to the significance of the CA which is a designated heritage asset. I have not been made aware of any public benefits of the proposal that would outweigh that harm.

Conclusion

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

Ryan Cowley

INSPECTOR