



Appeal Decision

Site visit made on 11 July 2022

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st July 2022

Appeal Ref: APP/N4720/D/22/3300739

15 New Road, Carlton, Wakefield WF3 3RE

- 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 Steven Carmody against the decision of Leeds City Council.
 - The application Ref 22/00473/FU, dated 20 January 2022, was refused by notice dated 21 March 2022.
 - The development proposed is described as the construction of a single story infill to the rear of the property, between the garage and the kitchen; lift of the proposed roof line by circa 750mm to allow the delivery of dormer windows without the requirement to lower the internal ceiling of the upper floor.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host property and surrounding area.

Reasons

3. The village of Carlton has a historic core, which although not designated as a conservation area, contains a number of traditional buildings that contribute positively and distinctively to the character and appearance of the area. One of these is the appeal property, which is a two-storey detached dwelling of traditional brick construction under a pitched slate roof. At its rear is a two-storey projection that steps down from the main roofline in a subordinate and uncomplicated fashion.
4. I do not disagree with the Council that the small single-storey extension would be acceptable. However, whilst the rear dormers would be set in from the sides, eaves and ridge of the roofslopes, as recommended by the Council's Householder design Guide Supplementary Planning Document 2012 (the SPD), they would nonetheless overlap awkwardly with the rear projection and subsume the majority of the roofspace at the rear of the property. Their combined size and box-like form would appear excessively large and out of keeping with the existing building. Cladding in similar slate tiles would not be sufficient to overcome the harm which would arise from the size, shape and position of the dormers. As a result, they would be entirely discordant and unacceptably dominant additions, which together with the alterations to the proportions of the rear projection, would detract significantly from the original form and design of the host property. Thus, there would be conflict with the SPD which states that dormers should be designed to remain subordinate to

the main property by not being of a size and scale which dominates the existing roof; and maintains and respects the features of the existing house.

5. Furthermore, the property is located prominently at the corner of New Road with Coronation Street on the main route through the centre of the village. The dormers would be very noticeable and discordant when viewed from the north, particularly given the absence of other similar dormers in the surrounding area. The raising of the main roof would add to this harm in so far that the appeal property and its immediate neighbours are currently very similar in height and roof pitch.
6. For the collective reasons outlined above, I conclude that the proposal would unacceptably harm the character and appearance of the host property and surrounding area. It is contrary to the design aims of Policy P10 of the Leeds City Council Core Strategy (as amended 2019) (the CS), saved Policies GP5 and BD6 of the Leeds Unitary Development Plan Review (2006) (the UDP), and Policy HDG1 of the SPD. Amongst other things, these seek to ensure that development is of good design which respects the form, proportions and character of the original building and the surrounding area. The development is also contrary to the National Planning Policy Framework (the Framework), where it seeks to achieve well designed places and development which adds to the overall quality of the area.

Other Considerations

7. The appellant has advanced a 'fallback position' based on a development that was subject to a certificate of lawful development¹ described as 'erection of a single-storey rear extension, dormer windows to rear and conversion and alterations to a garage'. It is argued that there are no significant differences between the dormers that could be constructed under the fallback position and the appeal scheme.
8. The consideration of a fallback position, including what could be erected under permitted development rights, is a well-established principle. Given the effort spent advancing both options to date, I consider that there is a possibility of the fallback position actually taking place.
9. However, under the fallback position the height and proportions of the main roof and rear projection would remain unaltered and the dormers would be less bulky. The dormers would also step down in height over the rear projection. As a consequence, I consider that the visual effect of the fallback position would be less harmful than the appeal scheme. Accordingly, the weight that I attach to the fallback position is minimal.

Conclusion

10. Given the above, the development would not accord with the development plan taken as a whole and there are no considerations, including the suggested fallback position, to justify making a decision otherwise than in accordance with the development plan. Therefore, the appeal should be dismissed.

A Caines

INSPECTOR

¹ Ref: 21/07411/CLP