



Appeal Decision

Site visit made on 26 September 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th October 2022

Appeal Ref: APP/A4710/D/22/3304395

20 Franklin Street, Halifax, West Yorkshire HX1 4LH

- 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 Mrs Nusrat Begum against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 22/00206/HSE, dated 4 March 2022, was refused by notice dated 7 June 2022.
 - The development proposed is described as “proposed front dormer”.
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Decision

1. The appeal is allowed and planning permission is granted for proposed front dormer at 20 Franklin Street, Halifax, West Yorkshire HX1 4LH in accordance with the terms of the application, Ref 22/00206/HSE, dated 4 March 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing numbers 1 and 2A.
 - 3) The materials to be used in the construction of the external surfaces of the development, including roof, front and cheeks of the dormer, fascia boards, soffit boards, any trough, guttering and downpipes, shall be finished in a dark material to match the colour of the existing roof of the property and shall be retained as such thereafter.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal building and the surrounding area.

Reasons

3. The area surrounding the appeal site is characterised predominantly by residential terraced properties. The roofscape of the surrounding built form is not uniformed with various roof styles. Some properties in the immediate area incorporate different dormer extensions including pitched and flat roofed dormer structures. It has been described that some of the dormers do not benefit from planning permission but are considered lawful now, and these contribute to the varied roofscape character of the area.
4. The proposed dormer would be set down from the existing roofline and set back from the eaves of the existing property, and would not stretch the whole

width of the property. In this respect the proposed dormer would not be a dominating feature that would detract from the appearance of the appeal building.

5. The proposal would be located on the west side of Franklin Street which is an established terrace with a continuous roof plane in the main. The existing roofline would be interrupted by the proposal however the traditional roofscape in the area has been replaced by a scattering of dormer structures. Due to its scale, bulk and massing, the proposal would not appear unduly conspicuous in the street scene and would not adversely affect the character and appearance of the area.
6. Accordingly, the proposal would not have a harmful effect on the character and appearance of the appeal building and the surrounding area. The proposal accords with Policy BE1 of the Replacement Calderdale Unitary Development Plan which seeks development to respect or enhance the established character and appearance of existing buildings and the surroundings.
7. I note that there is a similar proposal at appeal¹ for the property 22 Franklin Street. The cumulative effect of both of these schemes has been considered and this matter does not alter my findings above.

Conditions

8. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. In the interests of the character and appearance of the area, a condition relating to materials is necessary.

Conclusion

9. The proposal would not conflict with the development plan and there are no other considerations, including the provisions of the National Planning Policy Framework, which outweigh this finding.
10. Therefore, for the reasons given above, the appeal should be allowed.

Chris Baxter

INSPECTOR

¹ PINs reference number: APP/A4710/D/22/3304396