



Appeal Decision

Site visit made on 22 August 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Chris Forrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th November 2022

Appeal Ref: APP/N4720/D/22/3302509

11 Kirkham Street, Rodley, Leeds, LS13 1JP

- 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 Chris Harper against the decision of Leeds City Council.
 - The application Ref 21/10267/FU, dated 20 December 2021, was refused by notice dated 12 April 2022.
 - The development proposed is loft conversion with dormer window.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. On my site visit I saw that a dormer window had been constructed at the property. However, this differs from the appeal proposal as it is sited closer to the chimney stack and has a different sized window. Notwithstanding that, I have determined the appeal on the basis of the submitted plans with the application.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the host building and surrounding area, including the setting of the Rodley Conservation Area (CA).

Reasons for the Recommendation

5. The appeal property is a mid-terraced back-to-back, traditional stone built dwelling in a predominantly residential area characterised by rows of terraced houses. The street slopes down towards Town Street (the A657).
6. The appeal site fronts onto the CA, the boundary of which runs down the middle of Kirkham Street. This part of the CA is characterised by traditional terraces and newly built dwellings with simple roof lines. In the area of the appeal site the roof planes of the dwellings are largely unbroken, giving a regular appearance to the roof line of the buildings, particularly towards the lower end of the road close to Town Street. However, there are a few

properties which have dormer windows which face the CA, and several properties away from the CA which also have dormer windows.

7. Paragraph 206 of the National Planning Policy Framework (the Framework) sets out that proposals that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the heritage asset should be treated favourably. The Glossary to the Framework defines the setting of a heritage asset as the surroundings in which it is experienced. As the appeal site lies outside, but close to, the CA it forms part of the setting of that heritage asset.
8. However, the appeal proposal would result in a dormer window which would be larger in height, scale and bulk than the other dormers which front onto the CA. Despite the suggestion of the appellant, it would not follow the fenestration pattern of the first-floor windows either. To my mind, the dormer window would be an intrusive addition to the dwelling, primarily as a result of its size and design. In coming to that view, I acknowledge that it would utilise matching materials to the roof which would assist in assimilating the proposal into the host dwelling. That said, this would not make the proposal acceptable.
9. My attention has also been drawn to other box style dormer roof extensions on houses in the appeal property street and other streets in the surrounding area. I do not have the full details of these other schemes before me and therefore do not know the exact circumstances, or the planning policy context, which led to these permissions being granted. In any event, I have determined this appeal on its own merits based on the site-specific circumstances of the case.
10. Accordingly, I find that the development would be an incongruous addition which fails to relate to the scale and form of the existing dwelling and to a lesser extent the character and appearance of the area. In addition, for the same reasons, it causes harm to the setting and significance of the CA. Whilst the level of harm to the CA is less than substantial, I have not been able to identify any public benefits which would outweigh this harm.
11. For the above reasons, the loft conversion with dormer window would harm the character and appearance of the host building and surrounding area, including the setting of the Rodley Conservation Area. It would also conflict with Policies P10 and P11 of the Leeds Core Strategy (2014) (as amended by the Core Strategy Selective Review 2019) and saved Policy BD6 of the Leeds Unitary Development Plan Review (2006) which, amongst other matters, seek to ensure that development respects the scale, form and detailing of the original building and respects the character of the area. It also conflicts with the guidance in Policy HDG1 of the Householder Design Guide which sets out that extensions should respect the character and appearance of the dwelling and locality, with particular regard to the roof form and roof line.

Conclusion and Recommendation

12. The proposed development conflicts with the development plan as a whole and there are no other considerations that would outweigh this conflict. I therefore recommend that the appeal is dismissed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR