



Appeal Decision

Site visit made on 2 February 2023

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th February 2023

Appeal Ref: APP/X4725/D/22/3312917

135 Lincoln Street, Wakefield, WF2 0ED

- 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 Mohammed Ghafoor against the decision of Wakefield Metropolitan District Council.
 - The application Ref 22/01113/FUL dated 17 May 2022, was refused by notice dated 27 September 2022.
 - The development proposed is front dormer and loft conversion.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal upon the character of the host building and wider group of Buildings of Local Interest.

Reasons

3. The appeal site is a two-storey, mid-terrace, dwelling within a residential area. It stands within part of a terrace of properties which are all locally listed for their group value. They are, therefore, Buildings of Local Interest despite not being listed or within a Conservation Area. Paragraph 203 of the National Planning Policy Framework 2021 confirms that the effect of an application on the significance of an undesignated heritage asset should be taken into account in determining the application. The proposal seeks to add a gabled dormer, with a width in the region of 4.7 metres, depth of 4.2 metres and height of 2.5 metres, to the front of the host dwelling. There would be a set down in the region of 0.1 metres from the main ridge.
4. At the time of my site visit I initially parked outside the appeal site and observed that looking down Lincoln Street there are no examples of front dormers on that side of the road as far as could be seen with the road sloping away. This results in a notably uniform roofscape and consistency in roof form, within the terraced row, on the appeal site's side of the road which is a quality which distinguishes the area as well as being a visible quality of that row.
5. When I drove down Lincoln Street, towards Silcoates Road, I did note some examples of flat roofed front dormers much further down¹ but I would consider them of sufficient distance from the appeal site (at opposite ends of Lincoln

¹ These would be at 11, 13 and 14 Lincoln Street noted in the appellant's statement. I have discussed these further within Other Matters.

Street) that they bare no visual connection with the appeal site or the immediate setting within which the appeal proposal would be viewed.

6. Whilst I note that there are two front dormers on dwellings opposite the appeal site, at no. 132 and no. 134 respectively, I do not find that these dormers are of the same size or scale. In addition I note that the permissions on the opposite side of the road were granted in 2005 and 2006 which means that they were granted prior to the Framework, Residential Design Guide 2018 (RDG) and the Local Development Framework 2009 (LDF). Whilst I note that the dormers in question are part of the character of that side of the street scene the permissions which allowed them were not determined against the same policies as are now before me. The starting point for determination is the Local Plan in accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 taking into account all relevant material considerations which, in this case, includes the RDG guidance as well as the Framework.
7. As outlined above such features do not exist on the appeal site's side of the road which is key. The RDG is supportive of front dormers subject to adherence to the stated guidance. The proposal is consistent with some elements of the RDG but the guidance is clear in its advice that if dormer windows are not common in an area, the appellant must clearly show that any part of the dormer that can be seen from the street will not have a negative effect on the host dwelling or the street scene. In this case, as outlined, dormer windows are not common in the roofscape of this side of Lincoln Street. The RDG goes on to require that proposed dormers are well positioned in relation to lower windows, would not take up more than a third of the roof at the front of the house with pitched dormers being a maximum of 1.5 metres wide on more traditional dwellings.
8. The proposed dormer would have a pitched roof and would exceed the recommended maximum width of a pitched roof dormer by more than double which I find would dominate the roof of the host dwelling. The proposed dormer would not be well positioned in relation to the existing fenestration pattern which would further contribute to the harm to the character of the host dwelling, when combined with proposed scale, as a result of design. As noted the predominant character of the row of terraced properties includes an uninterrupted roofscape. A front dormer of the scale proposed would interrupt this roofscape, within the street scene, and appear as an unduly prominent and uncharacteristic feature when looking along the terraced row of locally listed buildings that are currently interrupted which is key to the character of this group of buildings. On balance I find the proposal to be unacceptable.
9. The character of the area may well have evolved since the turn of the 19th century, however, the character of the area which remains is as I have outlined above and it is the impact of the proposal upon that which falls to be taken into account. The provision of UVPC doors and windows elsewhere and the construction of other properties within the early 1970s are of no real relevance to the main issues and the proposal before me within this appeal. A lack of objection is a neutral consideration.
10. I am mindful that the appellant states the proposal is required to create individual private space for their children, however, these personal circumstances do not in this case outweigh the harm I have identified in relation to the main issues I have identified above. The proposal would be

contrary to LDF Policy D9 which requires proposals to respect the character of the locality in terms of design as well as respect existing built features that contribute to the character and local distinctiveness of the area. The proposal would also be contrary to guidance within the RDG as outlined within this decision letter and paragraph 130 c) of the Framework which seeks to ensure that developments are sympathetic to local character and history, including the surrounding built environment.

Other Matters

11. I note the appellant's reference to 11, 13 and 14 Lincoln Street as acknowledged in the footnote earlier within this decision letter. I have limited information before me as to the detail of the permissions granted within what the appellant asserts is the time period of the current legislation². This lack of general evidence further reduces the weight I can apply to the examples cited within the submissions before me. Despite this each case must be considered on its own merits and, as outlined above, I do not find them visually connected as part of the character of the roofscape surrounding the appeal site as a result of being at the opposite end of the street.
12. The Council's refusal reason references LDF Policy D19, however, no copies of this policy have been submitted as part of this appeal which has limited my ability to take this into account.
13. I note the appellant's contention that this type of development is reflective of Central Government policy for upward development, however, this point has not been expanded upon in terms of relevance to the proposal before me meaning I can attribute limited weight to this argument put forward.

Conclusion

14. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR

² It is noted that 24 Lincoln Street is stated to have been granted permission in March 2020.