



Appeal Decision

Site visit made on 15 February 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 March 2023

Appeal Ref: APP/N4720/D/22/3308831

6 Church Close, Pool In Wharfedale, Otley, Leeds LS21 1LN

- 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 Amy Horsman against the decision of Leeds City Council.
 - The application Ref 22/04081/FU, dated 10 June 2022, was refused by notice dated 9 August 2022.
 - The development proposed is single storey rear extension and new dormer to rear.
-

Decision

1. The appeal is dismissed, insofar as it relates to the new dormer to rear.
2. The appeal is allowed, and planning permission is granted, insofar as it relates to the single storey rear extension, at 6 Church Close, Pool In Wharfedale, Otley, Leeds LS21 1LN in accordance with the terms of the application, Ref 22/04081/FU, dated 10 June 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 insofar as they relate to the allowed matter: Drawing No: 22-001-01; 22-001-02A; 22-001-03; 22-001-04; 22-001-05; 22-001-06; 22-001-07; 22-001-08; 22-001-09A; 22-001-10; 22-001-11 A.
 - 3) The materials to be used in the external surfaces of that part of the development hereby permitted shall match those used in the existing building.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Pool in Wharfedale Conservation Area (CA).

Reasons

4. The appeal property is located within an area of twentieth century housing within the CA. The CA covers a large area with the suburban housing along Church Close contrasting with both the historical buildings within the core of the CA and its more rural parts. The Council's CA Appraisal and Management Plan (2009) (CAA) sets out that the key characteristics of the twentieth century suburban housing lies in its discreteness. From my observations on site, I agree.

5. The proposed dormer would occupy a large proportion of the depth and width of the rear roof slope of the property. It would have a box like form, giving it a stark and discordant appearance on the roof. The appeal site is near the junction of Church Lane and Main Street, which is a prominent focal point within the CA. Here, the proposed dormer would be visible in gaps between buildings around St Wilfrid's Church and the War Memorial. The bulky nature of the dormer would erode the discreteness of the host property. As a result, it would harm the character and appearance of the CA.
6. The appellant has provided details of other large bulky dormers, which the Council have approved in Church Close (the Close) (No 60 and No 47). I do not have full details of the circumstances that led to these dormers being approved by the Council. However, these are isolated instances within the Close, and most of the roof slopes remain uninterrupted by such dormers. The absence of such dormers helps, in my view, to preserve the discrete qualities of the twentieth century housing. Nonetheless, I accept there are similarities in their design and positioning on the roof slope.
7. The dormer approved at No 60 would be highly visible from the Close but it would be seen within the context of the surrounding suburban twentieth century housing. The dormer at No 47 would be visible from the grounds of St Wilfrid's Church, and the footway adjacent to it. However, any views would be of the side profile rather than the full rear façade. In this instance, the rear of the roof slope of the appeal property is visible from beyond the suburban twentieth century housing, and around a focal point of the village. As such, I do not consider that the approved dormers, at No 60 and No 47, should set a precedent for the appeal proposal.
8. The proposed single storey extension would wrap around the rear and side, but it would be stepped back significantly from the front façade. Moreover, its modest height, depth and matching materials would ensure that it would be a sympathetic addition that would preserve the character and appearance of the host property and surrounding CA.
9. To conclude on the main issue, the proposed single storey extension would preserve the character or appearance of the CA. However, the dormer roof to the rear elevation would not preserve the character or appearance of the CA.
10. The harm to the CA from the dormer would be localised and, as such, would be less than substantial in the context of paragraph 202 of the National Planning Policy Framework (the Framework). In accordance with paragraph 202 I must balance that less than substantial harm against the public benefits of the proposal. This classification of harm does not mean that it is diminished though. The Framework identifies that great weight should be given to designated assets' conservation, the weight increasing the more important the asset. Therefore, although the harm to the overall CA would be very small, this carries great weight and remains of considerable importance.
11. The appellant is seeking to improve the property and the proposed dormer would improve the living conditions associated with it. Moreover, it would not harm the living conditions of the occupiers of any neighbouring property. However, the overall benefits to the public would be limited. As such, the benefits, and the lack of harm to other considerations, do not outweigh the great weight given to the harm to the character and appearance of the CA from the proposed dormer.

12. To conclude, the proposed single storey rear extension would not conflict with the requirements of Policies P10, P11 and P12 of the Council's Core Strategy (CS) (2019), Policies GP5 and BD6 of the Council's Unitary Development Plan (UDP) (2006), Policy HDG1 of the Householder Design Guide Supplementary Planning Document (SPD) (2012) and the provisions of the Framework, when taken together.
13. However, the proposed new dormer to the rear would conflict with Policies P10, P11 and P12 of the CS, Policies GP5 and BD6 of the UDP, Policy HDG1 of the SPD and the provisions of the Framework, when taken together. These say, amongst other things, that the historic environment, consisting of archaeological remains, historic buildings townscapes and landscapes, including locally significant undesignated assets and their settings, will be conserved and enhanced, particularly those elements which help to give Leeds its distinct identity.

Conclusion and conditions

14. The proposed single storey rear extension is clearly severable, both physically and functionally, from the proposed new dormer to the rear.
15. Accordingly, for the reasons given above, the appeal is allowed insofar as it relates to the proposed single storey rear extension. However, the appeal is dismissed insofar as it relates to the proposed new dormer to the rear.
16. In respect of the allowed elements, I have attached the standard time limit condition (1) and a plans condition (2) as this provides certainty. I have also included a condition (3) requiring the materials match the host property in the interests of the character and appearance of the CA.

Mr R Walker

INSPECTOR