
Appeal Decision

Site visit made on 23 May 2023

by Elizabeth Pleasant BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 June 2023

Appeal Ref: APP/A4710/D/22/3302057

4 Gladstone Street, Stainland, Elland HX4 9EX

- 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 & Mrs A & E Taylor against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 22/00078/HSE, dated 21 January 2022, was refused by a notice dated 14 April 2022.
 - The development proposed is described as Two roof dormers (Part Retrospective).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have dealt with other appeals on this site: APP/A4710/C/22/3305000 & APP/A4710/C/22/3305001. Those appeals are the subject of separate decisions.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the host property and Stainland Conservation Area.

Reasons

4. The appeal property is a modest back-to-back property constructed in stone with a slate roof. It forms part of a terrace of similarly designed dwellings, set back from the main road, separated by narrow rear access lanes, and fronting onto allotment gardens. The terrace has a visually distinct appearance derived from the intimate layout of the properties, their simple form, and the consistent use of materials. The property is situated within Stainland Conservation Area (CA).
5. From my own observations and the evidence before me, I consider the significance of the CA as a heritage asset is derived from the vernacular style of local stone buildings, their simple form and traditional arrangement which responds to the topography of the area and transport routes.
6. The existing dormer extension within the roof of the appeal property is unauthorised. It is understood that the development the subject of this appeal seeks to undertake modifications to that dormer to create two smaller dormer extensions, including the installation of a small central roof light. In support of

the appeal my attention has been drawn to comments made in an Inspector's decision which related to a previous application for a larger single dormer at the property¹. In addition, I have been directed to other dormer windows within the CA, which the appellants consider to be of a similar scale and appearance to their proposal, including a previous permission for two small dormer extensions on the neighbouring property, No 6 Gladstone Street.

7. I concur with the description set out in the Inspector's decision¹, which described the properties on Gladstone Street and within that part of the CA to "*generally display a consistent modest scale and plain form, with distinctive chimney stacks rising above the terrace's roof slope being the main interruption to the prevailing roofslope.*" Furthermore, the simple roof form of the host property is, in my opinion, a principal element of the terrace's traditional vernacular style. The uninterrupted roof plane makes a positive contribution to the character and appearance of the CA and the absence of views of the property or terrace from Stainland Road does not diminish that contribution.
8. I accept that the two proposed dormer windows are individually more modest in scale than the existing dormer. Furthermore, their positioning and fenestration arrangement would respond to the property's existing window arrangement and alignment. However, the dormer extensions proposed would still be prominent and incongruous additions. Their box form would not respond to the terrace's vernacular style, and they would disrupt the simple, traditional roofscape of the host property. Consequently, they would have a harmful effect on the character and appearance of both the host property and the CA.
9. I have had regard to the dormer extensions that have been constructed on the rear of a property on the corner of Stainland Road and Beech Street as well as other small "boxy" dormer extensions within the CA which have been brought to my attention by the appellants. I was able to view many of those on my site visit. Whilst I do not know the precise planning circumstances of all those other dormer extensions, in my opinion they do not preserve the character or appearance of the CA. The existence of other harmful dormer extensions on different properties within the CA would not justify the proposed development in this case and they are not a precedent that should be repeated. Moreover, those other dormer extensions are not common, and the traditional vernacular style of the townscape and significance of the heritage asset prevails and should be preserved.
10. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 indicates that in determining planning applications in conservation areas special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area. Consistent with Section 72(1), Policy BE18 of the Replacement Calderdale Unitary Development Plan (RCUDP) requires the character or appearance of the Conservation Areas, defined on the Proposals Map, to be preserved or enhanced and states that proposals involving the alterations or extension of a building within the CA will only be permitted where, amongst other criteria, the form, design, scale, and materials respect the characteristics of the buildings in the area, the townscape and landscape setting. In addition, Policy BE1 of the RCUDP requires, amongst

¹ APP/A4710/D/21/3267945

other things, development proposals to respect or enhance the established character and appearance of existing buildings.

11. I appreciate the appellants' desire to improve their home and provide accommodation suitable for their family. However, for the reasons set out above the proposal would fail to respond to the vernacular style and characteristics of the host property and the development would not preserve or enhance the character or appearance of the CA.
12. I conclude that the dormer does not preserve or enhance the character and appearance of Stainland Conservation Area and has a harmful effect on the character and appearance of the host property. It causes less than substantial harm to the significance of the CA as a heritage asset. The development is therefore contrary to policies in the National Planning Policy Framework which seek to conserve and enhance the historic environment. The development conflicts with the development plan as a whole, and in particular the design and heritage aim of Policies BE1 and BE18 of the RCUDP.

Elizabeth Pleasant

INSPECTOR