



Appeal Decision

Site visit made on 2 October 2023

by Caroline Mulloy BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th October 2023

Appeal Ref: APP/N4720/D/23/3323940

76 Pasture Lane, Chapel Allerton, Leeds LS7 4QN

- 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 Keir Bailey against the decision of Leeds City Council.
 - The application Ref 23/01643/FU, dated 13 March 2023, was refused by notice dated 17 May 2023.
 - The development proposed is new roof window to front elevation and new dormer window to rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host property, the street scene and the Chapel Allerton Conservation Area.

Reasons

3. The appeal site comprises of a two-storey mid terraced dwelling with attic built in red brick with a slate roof reflecting similar properties in the area. Pasture Lane is at an incline with dwellings aligned in a terraced row which slopes downward with the appeal property towards the bottom. The majority of dwellings have dormer windows to the front elevation, a mix of flat roof and pitched roof dormers together with some roof lights.
4. The appeal site is situated within the Chapel Allerton Conservation Area (CA). The Chapel Allerton Conservation Area Appraisal and Management Plan (CAAMP) (2008) identifies the site as being within Character Area 4 - artisan terraced housing, which consists of densely packed terraced housing, with some back-to-backs.
5. The properties within Pasture Lane and surrounding terraces are representative of the artisan housing of the era. The regular fenestration and chimney pattern and simple, repetitive decorative details contribute to the uniformity of the terrace and the character and appearance of the CA. Taking these features together, I agree with the CAAMP that the buildings make a positive contribution to the character and appearance of the CA. The CAAMP also identifies key long-distance views across Chapel Allerton Park to be important within the CA.

6. The CAAMP notes the incremental loss of traditional architectural detailing in the CA and that this cumulative change is particularly noticeable in some terraced rows where the original uniformity has been weakened. It goes onto identify opportunities for the enhancement of the CA, specifically stating that new dormers in the CA should follow the design of nearby historic dormers.
7. The proposed rear dormer would comprise a tiled roof to match the existing property's roof. It would be set down from the roof ridge, up from eaves level and in from the sides. The windows within the dormer would be situated above the existing windows. In this regard the proposal would accord with some of the guidance in the Council's Householder Design Guide (HDG) Supplementary Planning Document (2012). However, the proposed dormer would be a significant size, spanning a substantial proportion of the roof plane and would, therefore, dominate the roof. Consequently, it would be contrary to the HDG which states that dormers should be small discrete additions which retain the character of the original roof; should not dominate the roof plane and remain subordinate to the main property. Whilst the HDG states that dormer windows to the rear which do not face the public highway may be marginally larger, the proposed dormer in this case would face onto Back Pasture Grove and would, therefore, be visible.
8. The appellant contends that the proposal would follow the design of nearby 'historic' dormers and would, therefore, be consistent with the CAAMP. However, whilst I note the presence of large, flat roof dormers within the rear elevation of the properties on Pasture Lane; they are clearly subsequent additions to the properties and not original or historic features. The small, pitch roof dormer window to the front elevation of the appeal property is more reflective of the original or historic dormers found in the area. Although the proposed dormer would have slate-hung sides and decorative timber bargeboards it would not reflect these historic dormers in terms of the scale or roof design.
9. The dormer would be hidden to a degree when viewed in profile by the existing dormer; however, it would still be highly visible from Hillside Road and Back Pasture Grove by residents occupying those properties. It would, therefore, harm the character and appearance of the host property, the street scene and the CA.
10. There are around seven existing rear dormer windows on the rear elevation of properties on Pasture Lane, facing onto Back Pasture Grove. There were also two dormers on the opposite side of Back Pasture Grove. However, the majority of properties do not have rear dormers, only rooflight additions. The large box dormer windows which are there serve to demonstrate the harm which can occur to the CA as a result of these additions. Moreover, the dormer windows appear to predate the designation of the CA and none of them have the benefit of planning permission. This limits the weight I can attach to these cases in my decision.
11. Attention is drawn to examples of dormer windows in Norfolk Terrace; however, these back onto private residential gardens rather than a public highway. These cases are not, therefore, directly comparable to the appeal proposal which limits the weight which I can attach to them in my decision.
12. I have identified that the proposal would harm the character and appearance of the CA. This harm is less than substantial. The appellant points to the benefits

of the extension including providing sufficient headroom for the loft bathroom for the family. However, I am not persuaded that this benefit cannot be achieved in another way and in any event, this is a private benefit. The additional headroom created by the dormer would enable the provision of additional insulation which would improve the thermal performance of the property. However, due to the scale of this improvement, I can only attach very modest weight to this benefit. Consequently, I do not consider that the harm caused to the character and appearance of the CA would be outweighed by the benefits.

13. In conclusion, the proposal would harm the character and appearance of the host property, street scene and the CA. It would, therefore, be contrary to Policies P10, P11 and P12 of the Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019), Saved Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan (Review 2006), Policy HDG1 of the HDG and the CAAMP which collectively seek to secure high quality design, conserve and enhance the historic environment and ensure that alterations and extensions respect the scale, form, proportions and character and appearance of the original building.

Conclusion

14. For the reasons stated and taking all other considerations into account the appeal is dismissed.

Caroline Mulloy

Inspector