



Appeal Decision

Site visit made on 17 October 2023

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 October 2023

Appeal Ref: APP/N4720/D/23/3328572

58 Northbrook Street, Chapel Allerton, Leeds LS7 4QH

- 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 L Adegunwa against the decision of Leeds City Council.
 - The application Ref 23/02203/FU, dated 5 April 2023, was refused by notice dated 1 August 2023.
 - The development proposed is loft conversion with dormer to rear.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit a dormer akin to the proposal was already in place, albeit with a different window arrangement. The dormer currently in place has informed my assessment, but for the avoidance of any doubt, I have determined the appeal on the basis of the drawings that were before the Council when it made its decision.

Main Issue

3. The main issue is whether the development would preserve or enhance the character or appearance of the Chapel Allerton Conservation Area (the CA).

Reasons

4. The appeal property is a modest, traditional, mid-terrace house with a pitched slate roof, situated within the CA. The Chapel Allerton Conservation Area Appraisal & Management Plan 2008 (the CAAMP) identifies the site as being within Character Area 4 - artisan terraced housing. Some of the key characteristics of this area include rows of densely packed terraced housing with slate roofs, a regular chimney pattern, simple and repetitive decorative details, and mainly large-pane sash windows.
5. Despite some insensitive modern alterations, the terraced blocks along Northbrook Street are representative of the artisan housing character. Furthermore, they are identified in the CAAMP as making a positive contribution to the character and appearance of the CA. I concur. The CAAMP also identifies views across Chapel Allerton Park to be important within the CA.
6. Although the rear dormer would be set in from the edges of the roof and chimneys, it would be a bulky structure that would subsume the majority of the rear roof slope of the appeal property, thereby dominating the roof. Its excessive size, box-like form, and fenestration design would not reflect the form, proportions, and fenestration of the host building. This would be the case

even if appropriate external cladding materials were used. Consequently, the dormer would not be a well-designed and sympathetic addition to the building. Moreover, it would be widely visible along Back Northbrook Street and across Chapel Allerton Park.

7. I have taken into account that there are existing flat roofed dormers at the rear of Nos 42, 44, 60, 64, and 66, within the same terraced block. Another similar dormer has been recently approved by the Council at No 50. However, the majority of properties in this terraced block do not have rear dormers. The existing dormers also appear to occupy less of the roofslope compared to the appeal scheme. In any event, they are not original features and do not reflect the design of historic dormers found elsewhere in the CA, as advised by the CAAMP. Their presence only demonstrates to me the harm that can be caused from degradation of the architectural qualities of the area by such unsympathetic alterations.
8. Indeed, one of the problems and pressures noted within the CAAMP is the incremental loss of traditional architectural detailing in the CA. It goes on to state that replacement of traditional roof coverings with inappropriate designs is a negative feature that affects individual buildings and the wider streetscape, and that this cumulative change is particularly noticeable in some terraced rows where the original uniformity has been weakened. For the reasons above, the proposal can be treated as such.
9. The appellant has highlighted an appeal decision relating to dormers in the Headingley Conservation Area¹. However, the property was not identified as a positive building in the CA, or within any important views. I also note the Inspector's references to a reasonable amount of roof being retained, as well as the large number of existing flat roof dormers the proposal would be seen in context with. I therefore do not find the circumstances to be directly comparable to the scheme that is before me.
10. Overall, I consider that the proposal would be a harmful addition to the host building and give rise to the incremental erosion of the significance of the CA as a whole. The magnitude of harm can be classed as less than substantial in the terms of the National Planning Policy Framework (the Framework). Nevertheless, in the context of the CA as a whole, it would fail to preserve or enhance its character and appearance. This is a matter of considerable importance and weight.
11. The benefit of the proposal would be largely private, relating to the enjoyment of the house by its occupants. Therefore, I find no public benefits that would outweigh the harm I have identified.
12. Thus, the proposal fails to satisfy the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990; parts 12 and 16 of the Framework; Policies P10, P11 and P12 of the Leeds Core Strategy (Selective Review 2019); Saved Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan (Review 2006); Policy HDG1 of the Council's Householder Design Guide Supplementary Planning Document (2012) and the CAAMP, which collectively seek to secure high quality design, conserve and enhance the historic environment and ensure that alterations and extensions

¹ APP/N4720/D/21/3288403

respect the scale, form, proportions and character and appearance of the original building.

Other Matters

13. A neighbour has commented that there are roosting bats in the terrace. Bats are a protected species, the presence of which is a material consideration when a development proposal is being considered which would be likely to result in harm or disturbance to the species or its habitat, as would potentially be the case here. Despite this, the Council did not request a bat survey.
14. The Conservation of Habitats and Species Regulations 2017, Regulation 9(3) requires that a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions. I am mindful of this duty, but as I intend to dismiss the appeal for other reasons, no harm would occur to protected species. It is therefore not necessary to explore this matter any further in this Decision.

Conclusion

15. The proposal conflicts with statutory requirements and the relevant policies of the development plan. There are no material considerations which indicate that the decision should be made otherwise. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR