



Appeal Decision

Site visit made on 13 November 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30TH November 2023

Appeal Ref: APP/A4710/D/23/3329710

52 Savile Park, Calderdale, Halifax HX1 3EX

- 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 N Ahmad against the decision of Calderdale Council.
 - The application 23/00395/HSE, dated 11 April 2023, was refused by notice dated 25 July 2023.
 - The development proposed is front and rear dormer and addition of window to side elevation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed front and rear dormers on the character and appearance of the host dwelling, and on the Savile Park Conservation Area.

Reasons

3. No.52 Savile Park (No.52) is a mid-terrace two-storey dwelling to the north of Savile Park built of natural stone with a blue slate roof finish. Savile Park runs parallel to Free School Lane, separated from it by a wide grass verge with an avenue of mature trees.
4. No.52 is within the Savile Park Conservation Area (the CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a CA. The significance of the Savile Park CA is derived, in part, from its variety of property types ranging from large villas to small back-to-back terraces, and a consistency of height and massing of residential properties, generally two-storeys or two-storey with attics. The *Savile Park Conservation Area Character Appraisal* (2006) (CACA) describes properties fronting Savile Park along Free School Lane as having a unity of materials, massing and roofline with the special character of this area including the original roofscape with tall chimney stacks. I observed on my site visit that despite the age of the CACA (and the absence of a recent review), No.52, its wider terrace and other terraces to the north of Savile Park retain the overall unity in appearance and cohesion of original roofscape, as described.

5. To the front of No.52, it is proposed to construct a pitched roof dormer with a width of around 3m, and a height of around 2.4m. Although the proposal has been designed with the dormer roof set down from the main ridgeline, set back from the eaves and set in from the neighbouring properties either side, its size means it would appear a dominant feature in the front roofslope. Further, whilst the roof of the dormer would be tiled to match the roof of its host, the tongue and cheeks would be finished in a dark uPVC cladding. This would appear incongruous against traditional blue slate roof tiles and natural stone of the host dwelling, and the wider terrace.
6. My attention has been drawn by both parties to the existing front dormer of a neighbouring property at No.56 Savile Park (No.56), which was granted planning permission in January 2022 and is described by the appellant as 'identical' to the proposal now before me. I accept that this dormer forms part of the context of the appeal site, but notwithstanding the presence of this dormer (and others within the wider area), dormers do not form a defining characteristic of the terrace, or of those properties fronting Free School Lane that fall within the CA. I accept that most properties within the next terrace row to the west on Savile Park have front dormers, but this terrace falls outside the CA boundary. Further, rather than enhancing the overall appearance of the terrace by adding an additional dormer to act as a balance to No.56 (as argued by the appellant), the proposal would simply emphasise its prominence and further erode the original roofscape. I therefore find the existing dormer at No.56 lends little support to the proposal before me.
7. I accept that the avenue of trees on the verge between Savile Park and Free School Lane provides a degree of screening of the terrace, particularly during the summer months. However, because of its size and position, the proposed front dormer would nonetheless be very visible travelling in either direction on Savile Park and Free School Lane. It would appear a dominant feature which would detract from the unity and massing of the original terrace and would cause harm to the character and appearance of the wider streetscene.
8. No.52 forms part of an area of close knit residential terraces to the north of Free School Lane. To the rear, it has a small yard accessed from Elmwood Street. This close arrangement means that the rear elevation of No.52 (and the wider terrace) can be seen from both Savile Park as it returns north and from the terrace opposite that fronts Elmwood Street. The rear elevation is less uniform than the front with various single storey additions, garages, roof pitches and dormer extensions. I therefore find the rear elevation, in this case, less sensitive to change. The proposed rear dormer would be around 4.5m wide and 2.4m high with a fairly shallow dual roof pitch. Although set in from the neighbours at either side, the excessive width of the dormer would all but consume the rear roofslope of No.52, itself only 5.9m wide. It would appear an unsympathetic and prominent addition, to the detriment of the character and appearance of the rear elevation of the host dwelling and terrace.
9. Therefore, on the main issue, I conclude that the proposal would cause harm to the character and appearance of the host dwelling and the Savile Park CA. Consequently, it would conflict with Policy BT1 of the Calderdale Local Plan 2018/19 to 2032/33 (2023) (LP) and Section 12 of the National Planning Policy Framework (the Framework) which together require design which respects or enhances the character and appearance of existing buildings and surroundings, taking account of local context and distinctiveness. In addition to the conflict

with the statutory duty at S72 of the Act, the proposal further conflicts with LP Policy S12 and Section 16 of the Framework because it fails to preserve or enhance the character and appearance of the CA.

Other Matters

10. I have had full and careful regard to the needs of the appellant in terms of providing supportive care for a family member. Whilst I acknowledge that additional living accommodation would be a benefit of the proposal, I have no substantive evidence before me that the needs of the appellant could only be met through the construction of a front and rear dormer of the scale that has been proposed. I do not, therefore, find that the personal circumstances of the appellant in this case outweigh the harm I have found to the character and appearance of the host dwelling and CA.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

R Jones

INSPECTOR