



Appeal Decision

Site visit made on 12 December 2023

by C Megginson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 January 2024

Appeal Ref: APP/N4720/D/23/3330532

98 High Street, Yeadon, LEEDS LS19 7AB

- 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 Andrew Tesseyman against the decision of Leeds City Council.
 - The application Ref 23/04304/FU, dated 11 July 2023, was refused by notice dated 5 September 2023.
 - The development proposed is described as 'rear dormer, velux roof windows'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the planning application form. The Council's decision notice identifies the proposed development as 'Dormer windows to rear.' The Council did not object to the front rooflights, and I have no reason to disagree. I have therefore considered the appeal on this basis.
3. In December 2023 the National Planning Policy Framework (the Framework) was updated. No fundamental changes were made to the matters raised by the appellant and the Council, and it has therefore not been necessary to seek the views of the parties.

Main Issue

4. Whether the dormer windows to rear would preserve or enhance the character or appearance of the Yeadon Conservation Area.

Reasons

5. The appeal site is located within the Yeadon Conservation Area (CA) and the property is identified as a positive building within the Yeadon Conservation Area Appraisal and Management Plan. The CA reflects the area's industrial heritage. This draws some of its essential character and significance from the streets of traditional terraced housing that define much of the historic townscape. The distinct terrace row with an unbroken roof line including the appeal site is typical of this character and makes a positive contribution to the character and appearance of the CA and its significance as a designated heritage asset.
6. The appeal proposal seeks to incorporate two rear dormer windows. Despite the presence of vegetation, from my site visit I could clearly see the location of the proposed dormer windows from the rear. I recognise that the proposed

dormer windows have been downsized and repositioned since a previous planning application and appeal and would be of a traditional design. However, regardless of the design of the proposed dormers or the nature of the proposed materials, the presence of dormer windows, in such a prominent position within the street would introduce incongruent and dominant features and disrupt the otherwise uniform roofscape along the rear of the terraced block. This would harm the contribution of the house to the street scene.

7. The resulting adverse effect on the character and appearance of both the property and the street would be visible in public views along Windmill Lane.
8. My attention has been drawn to other dormers in the area. The circumstances in each proposal are likely to be different, and in any event the fact that apparently similar dormers may have been permitted is not a reason, on its own, to allow unacceptable development. Furthermore, the examples cited do not appear to necessarily constitute an example of sympathetic development and do not therefore justify the appeal proposal. I have considered this appeal proposal on its own merits.
9. The harm that would arise would be localised and therefore the impact on the CA as a whole is less than substantial within the meaning of Paragraph 208 of the National Planning Policy Framework (the Framework). In weighing the public benefits of the proposal against the harm identified, the appellant has identified the sustainability credentials of the proposed dormer windows and improvements to living conditions through the creation of additional internal space and natural light. Putting aside the above being mainly private benefits, when taken together, they would not be sufficient to outweigh the harm that I have found, and to which I am required to attach great weight.
10. This has resulted in a conflict with Paragraph 205 of the Framework because the harm to the CA does not have a clear and convincing justification and the Framework requires great weight to be given to the conservation of designated heritage assets. Thus, my overall conclusion is that the proposal would fail to preserve the character and appearance of the Yeadon Conservation Area and would cause less than substantial harm to its significance as a designated heritage asset.
11. In the absence of any public benefits to outweigh this harm, it would be in conflict with Policies P10 and P11 of the Leeds City Council Core Strategy (amended 2019), Policies GP5, BD6 and N19 of the Leeds City Council Unitary Development Plan (Review 2006), Policy HDG1 of the Council's 'Householder Design Guide' Supplementary Planning Document (2012) and the aims of the Yeadon Conservation Area Appraisal and Management Plan, which seek to secure high quality design that enhances or reinforces local distinctiveness.

Conclusion

12. The appeal scheme would conflict with the development plan. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

C Megginson

INSPECTOR