



Appeal Decision

Site visit made on 1 May 2024

by K Williams MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2024

Appeal Ref: APP/N4720/D/24/3339633

10 Laurel Terrace, Armley, Leeds LS12 2BZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ansar Mahmood against the decision of Leeds City Council.
 - The application Ref is 23/06226/FU.
 - The development proposed is describes as 'amendments to Existing Dormer to allow lawful development.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. For the avoidance of doubt, my decision relates solely to the erection of the dormer to the front of the appeal property. Although there is an existing dormer in situ, my decision is based on the plans before me.
3. The Government published a revised National Planning Policy Framework (the Framework) in December 2023, replacing the version published in September 2023. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issues

4. the main issues are:
 - The effect of the development on the character and appearance of the host building;
 - Whether the development conserves or enhances the character or appearance of the Armley Conservation Area (the CA).

Reasons

5. The appeal property is a mid-terrace dwelling of traditional stone and slate materials and construction. With the exception of the adjoining property, No 12 Laurel Terrace, no other property on either the stone or brick terraces possesses a dormer extension at the front. There are none on the opposing side of Laurel Avenue.

6. The dwelling is located within the St Bartholomew's sub-area of the CA. As such, I have had regard to s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), which requires that special attention be given to the desirability of preserving or enhancing the character or appearance of the conservation area.
7. Insofar as it is relevant to the appeal, the significance of the CA stems from the street pattern of terraces and their historic connection with the legacy of the 19th century historic development and architectural quality of residential areas. Whilst the terraces vary particularly in terms of materials, overall they have a degree of uniformity to their features, proportions and unaltered roof planes, which contribute to the area's local distinctiveness. Laurel Terrace is identified as an unlisted positive building in the Armley CA Appraisal (2007) and thus contributes to the character and appearance of the CA as a whole and to its significance as a designated heritage asset.
8. The constructed front dormer extension covers almost over the whole width and pitch of the front roof slope of No 10 Laurel Terrace and is positioned close to chimney. The proposal seeks permission for a dormer of a lower height and depth, to match the dormer on the adjacent property. Whilst not shown on the plans, it is proposed to replace the white uPVC cladding with hanging tiles, which could be secured by a suitably worded planning condition.
9. The scale would reflect the neighbouring property; however its presence does not amount to an overall proliferation of dormer windows on Laurel Avenue, nor reason to grant development which is to be assessed against current development plan policies. Whilst the hanging tiles would be a more appropriate material, the size and form of the windows, are large and wide. They do not reflect the scale and proportion of the windows below on this attractive host building and those in the terrace, which are also identified as unlisted positive buildings. The windows as part of a wide continuous dormer, would be a dominating feature and would detract from the appearance of the host building, terrace and thus the streetscene overall.
10. The development would also be of considerable bulk and dominates the front roof plane. It would almost entirely obscure its attractive simple form, and that of the traditional chimney, marking it apart from the majority of the stone terraces on Laurel Avenue. Given the prominence of the building within the street scene, partly due to the absence of dormers on this street, the adverse effects to No 10 Laurel Terrace also fail to preserve the character and appearance of the CA as a whole. In doing so, the development would result in harm to the CA's significance as a designated heritage asset.
11. Whilst I note the number and pattern of development of large scale dormer windows in the area, most of these are not located on Laurel Terrace nor are they located on distinctive stone properties. They would not be readily seen in the same context as the appeal site. I cannot be certain that they have been granted permission or considered under a different legislative policy context. These aspects limit the weight I can attach to these other photographic examples.
12. There is no substantive evidence that flat roof full width dormers are likely to be approved in the future, or that they are preferable to a more traditionally formed pair of gabled dormers. I have no detailed plans before me of these to compare. In any event, that flat roof dormers are appropriate is at odds with

the discussion contained with the CA Appraisal regarding the numerous cumulative changes that the flat roofed dormers to the front roof planes have. The Armley CA Appraisal has identified these as elements that seriously harm the uniformity of the terraces. In this regard, although there is an existing dormer window adjacent, there would be a gradual erosion of this particular positive aspect of the CA provided by the original character of the host building.

13. The harm to the CA would be less than substantial but, nevertheless, of considerable importance and weight. In accordance with paragraph 208 of the National Planning Policy Framework this harm needs to be weighed against the public benefits of the proposal.
14. The appellant has not put forward any public benefits. The construction process may generate some wider economic benefits. However, these would be small due to the scale of the development. The public benefits are not sufficient to outweigh the identified harm.
15. Consequently, the development is contrary to Policies P10 and P11 of the Leeds City Council Core Strategy (as amended by the Core Strategy Selective Review 2019) and saved Policy N19 of Leeds City Council Unitary Development Plan (Review 2006). Together these require extensions to be of a high quality design and respectful of the original scale of their hosts, including their roof form, reinforce local distinctiveness and conserve and enhance the historic environment. The proposal would also conflict with the advice contained within chapters 12 and 15 of the Framework, which respectively relate to achieving well-designed and beautiful places and conserving and enhancing the historic environment.
16. The proposal would also be in conflict with HDG1 of the Leeds Householder Design Guide (2012) which requires extension to pay particular attention to materials, as well as the Armley CA Appraisal (2007) in relation to the identified harmful effects of flat roofed front dormer extensions and ill-considered home improvements.

Other Matters

17. Although I appreciate the appellant contends that they received poor advice from a building company, this aspect is not within my remit to consider. Nor does it negate the harm I have identified above. I also note the extensive planning history associated with the appeal site; however, the Council has assessed the proposed development against development plan policies, and I have considered this appeal on its own merits.

Conclusion

18. For the reasons given above, and having regard to all other matters raised, the proposal conflicts with the development plan as a whole. I conclude that the appeal should be dismissed.

K Williams

INSPECTOR