

# Appeal Decision

Site visit made on 28 August 2024

**by M Ollerenshaw BSc (Hons) MTPI MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 5 September 2024**

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**Appeal Ref: APP/Z4718/D/24/3345149**

**6 Share Hill, Wellhouse, Huddersfield HD7 4JQ**

- 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 and Mrs J Posner against the decision of Kirklees Metropolitan Council.
  - The application Ref is 2023/62/93705/W.
  - The development proposed is dormer loft conversion.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the development proposed on the character and appearance of the property and the surrounding area, including the setting of the Wellhouse Conservation Area and the Grade II listed building at 1 and 3 Share Hill Road.

## Reasons

3. The appeal site relates to a detached dwelling which forms part of a short row of three similar properties located on Share Hill. The property is constructed in red brick with a concrete tiled roof above. Viewed from the highway it appears as a bungalow but is two storeys to the rear due to the fall in levels across the site. There is a driveway and garden to the front of the dwelling with an area of on-street parking beyond.
4. The site is just outside the Wellhouse Conservation Area (the WCA). It is, however, located at a gateway into the WCA. Given its proximity, the site forms part of the setting of the WCA, the significance of which derives from its hillside position with a distinctly rural setting. The area is generally characterised by stone constructed weavers' cottages and terraces with steep pitched roofs set along narrow lanes.
5. The adjacent neighbouring building to the south, 1 and 3 Share Hill Road, is Grade II listed. These are back-to-back houses dating from the early to mid-nineteenth century, and constructed in hammer dressed stone with a pitched stone slate roof. Based on the evidence before me, the significance of the adjacent listed building is derived from its age, former use as weavers'

cottages, architectural features, including mullioned windows, together with its elevated position and setting relative to the adjacent countryside.

6. The appeal property is set back from the adjacent listed building, its roof is considerably lower, and there is a reasonable gap between the two. The simple pitched roof to the front of the property broadly reflects the roof form of the adjacent listed building. Therefore, despite its more modern appearance and materials, the existing property does not significantly impinge upon the setting of the listed building.
7. The dormer extension would be installed in the front roof slope of the property. Although it would be set back from the eaves, down from the ridge and in from the sides of the roof, the proposal would still be a substantial addition to the roof, particularly in terms of its width, and would as a result dominate the front roof slope. The flat roof design would complicate the currently simple roof profile and would be incongruous in the context of the area, which is characterised predominantly by steep pitched roofs. Moreover, the proposed external materials, comprising grey GRP cladding with a flat roof membrane, would not reflect the existing building or the surrounding area.
8. There is some variation in the roof forms of properties in the area, including the roof scape of the traditional cottages to the south. However, dormers are not a characteristic feature of the adjacent WCA. As a result, the proposal would be harmful at a key gateway into the WCA. It would also strike a discordant note when viewed against the steep pitched roof of the listed building, particularly seen from the north west along Share Hill. From this direction the proposal would intrude on the setting of the listed building. The gable extension to the front roof slope of 8 Share Hill has a pitched roof which harmonises with the property, and it is situated some distance away from the listed building and the WCA boundary. It therefore has little impact on the setting of the listed building and the WCA and does not provide convincing justification for the appeal proposal.
9. While the proposal would potentially increase the parking demand associated with the site, the area to the front of the site is already used for parking and it is unlikely there would be such a significant increase in vehicular clutter to an extent that would be harmful to the setting of the WCA or the listed building.
10. Nevertheless, I conclude that the proposed dormer extension would harm the character and appearance of the property and the surrounding area, including the setting of the WCA and the Grade II listed building. It would conflict with Policies LP2, LP24 and LP35 of the Kirklees Local Plan Strategy and Policies 2019 which require proposals to promote good design ensuring the form, scale, layout and detailing of development respects and enhances the character of the townscape and the historic environment. It would also conflict with the Council's House Extensions and Alterations Supplementary Planning Document 2021 where the general design principles seek design appropriate to local character, and with the National Planning Policy Framework (the Framework), which promotes well-designed development that conserves and enhances the historic environment.
11. While the harm to the setting of the listed building and the WCA would be less than substantial, this is still a matter to which I give considerable importance and weight. The proposal would potentially reduce carbon

emissions and improve the thermal efficiency of the property, but these benefits could be achieved without the proposed development taking place. There are no public benefits of sufficient weight to outweigh the less than substantial harm identified. The proposed improved and enlarged accommodation would be of benefit to existing and future occupiers of the property. However, this is a private benefit. Moreover, there is no substantive evidence before me to indicate that the appeal proposal is the only means of providing the accommodation required. The dismissal of the appeal is a proportionate and necessary response having regard to the legitimate and well-established planning objective of preserving the settings of conservation areas and listed buildings.

### **Conclusion**

12. The proposal would not accord with the development plan and there are no other considerations that outweigh this finding. Therefore, I conclude that the proposal is unacceptable and the appeal should be dismissed.

*M Ollerenshaw*

INSPECTOR