



Appeal Decision

Site visit made on 5 November 2024 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2024

Appeal Ref: APP/N4720/D/24/3352695

28 Royds Lane, Rothwell, Leeds LS26 0BH

- 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 Extra Space Developments against the decision of Leeds City Council.
 - The application Ref is 24/02703/FU.
 - The development proposed is the erection of a full-length flat roof dormer to the rear (north-facing) elevation.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description above is taken from the application form which differs slightly from the decision notice. However, this has not changed anything fundamental nor prejudiced the ability of any party to make their case in respect of the appeal. When the Council considered the scheme, the dormer was in situ but at the time of my site visit it had been removed. I have therefore referred to it in the future tense.
4. Amended plans have been put before me that remove the dormer from the scheme and show rooflights within the roof slope instead. However, the appeal process cannot be used to evolve a scheme and therefore, in the interests of fairness for all parties, I have considered the same scheme that was submitted to the Council.

Main Issue

5. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Rothwell Conservation Area (RCA).

Reasons for the Recommendation

6. The appeal site is an end terrace dwelling situated in a prominent position. Royds Lane curves around the side of the property and therefore all elevations of the building are clearly visible from within the RCA. The dwelling forms part of an attractive group of three two storey terraced properties that are

traditionally proportioned, uniformly presented and still retain many original features. The roofscape of properties within the vicinity is largely unaltered and they have a strong even rhythm to fenestration design, size and location. Due to their quality and originality in these respects, they contribute positively to the significance of the RCA.

7. The RCA appraisal and management plan places importance upon the retention of the uniformity of such terraces by resisting the insertion of inappropriate dormer windows. In this case, the dormer would be large and disproportionate to the roof slope. Not only would such a feature be alien to the terrace, it would also disrupt the pleasantness of the unaltered roof shape and how that relates homogenously to the originality of both the dwelling itself and the quality of the three as a group.
8. Whilst not shown on the submitted plans, it also seems to be the case that the appeal scheme, to facilitate the installation of the dormer, would involve the removal of a chimney on the rear roof slope. At the time of my visit the chimney in question was absent. The appraisal highlights the importance of chimneys to the roofscape of buildings to unify terraces. In this case, the even rhythm of such protrusions are a key feature of the age and aesthetic quality of the terrace. The loss of one would be another unacceptable disruptor to their appearance.
9. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 205 of The National Planning Policy Framework 2023 (The Framework) places emphasis on great weight being given to the "asset's conservation".
10. Given the assessment above, the proposal would neither preserve or enhance the character or appearance of the RCA. Due to the scale of the development in context, the harm would be less than substantial. As directed by paragraph 208 of the Framework, the harm identified will be weighed against the public benefits of the proposal. No public benefits have been put before me. The harm I have found would not therefore be outweighed.
11. Consequently, there would be conflict with Policies P10 and P11 of the Leeds City Council Core Strategy as amended 2019, GP5, BD6 and N19 of the Leeds Unitary Development Plan 2006, HDG1 of the Householder Design Guide 2012 and the Framework which are concerned with development being appropriate for its location and conserving the historic environment amongst other things.

Conclusion and Recommendation

12. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR