

Appeal Decision

Site visit made on 28 December 2024

by **S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 09 January 2025

Appeal Ref: APP/X4725/D/24/3354102

69 Duke of York Street, Wakefield WF1 3PG

- 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 Mr. Waheed Khan against the decision of Wakefield Metropolitan District Council.
 - The application reference is 24/00696/FUL.
 - The development proposed is raising of the roof height by 250mm, retiling the roof, removing cladding to the existing dormer and tile hanging to match the existing roof.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal is made in part retrospectively regarding the rear dormer.
3. A new National Planning Policy Framework was published in December 2024 (the Framework). This replaces the previous version of the Framework, published in December 2023. So far as the main issue is concerned, the 2024 Framework remains essentially unaltered relative to the December 2023 version. Therefore, it has not been necessary for me to seek comments from the main parties in respect of the 2024 Framework.
4. The appeal proposal is for the retention of a rear, box dormer (with alternative external cladding) which currently extends above the ridge of the host property, and to raise the front elevation of the host dwelling, including that part of the roof which extends onto the adjoining property, by approximately 250mm so that the roof running parallel with Duke of York Street is the same height as that of the flat roofed dormer to the rear.
5. The appeal proposal aims to address an earlier appeal dismissal¹ and the appellant states that *'we feel that the initial reason for refusal concluded by the Inspector was determined by the roof being only increase by the host property and not including the adjacent property. Our revised submission would include all the front facing roof, and the rear would again be completed on the neighbouring property with matching tiles'*.

¹ APP/X4725/D/19/3244075

6. However, while the application form includes a signed certificate to state that the adjoining householder has been informed of the proposal, the submitted red edged site location plan only includes the appeal property and not that of the neighbouring dwelling. Therefore, there is no mechanism before me to ensure by condition that the elevation would be constructed as proposed, including that part upon the adjoining property.

Main Issue

7. The main issue is the effect of the development upon the character and appearance of the existing dwelling and area.

Reasons

8. The appeal property lies within an urban, residential area characterised by mainly brick built, two-storey terraced and semi-detached dwellings with double pitched roofs with front and rear amenity spaces.
9. The appeal dwelling itself is a semi-detached, two storey property where the two dwellings share an L-shaped roof plan with the same pitch and ridge height. They are located on a corner plot, with the host property facing Duke of York Street and the other semi-detached property facing Shilling Street.
10. A rear dormer extension has been added to the host property. Its height exceeds the ridge of the roof to the main dwellings. It extends along most of the rear elevation of the host property and is visible both from Duke of York Street and from the rear access lane and St Marks Street to the West.
11. Both parties have referred to the earlier appeal decision of May 2020 regarding the dormer and where the Inspector concluded that *'the dormer is visible from Duke of York Street but is most prominent from the rear access lane and St Marks Street to the west. It is a prominent feature on the rear roof slope, occupying the majority of its width and finished in white cladding which stands out against the darker roof tiles. Perhaps most problematically, it is set partly above the ridgeline on the host property. As a result of these characteristics it forms an overly dominant feature on the rear roof slope which detracts from the character and appearance of the host property and the surrounding area. The SPD guidance is clear that dormer windows should be set down from the ridge of the roof and reflect the materiality of the existing house. The dormer window has failed to meet this guidance. While I accept that there are other dormer roof extensions in the immediate area which are constructed of varying designs and materials, I have no details as to the circumstances under which these were found acceptable, but they may pre-date the current design guidance'*.
12. I have no reason to disagree with the above.
13. I consider that the proposal to replace the existing white coloured external materials of the dormer with more subdued tile hanging would help, to a limited extent, to allow the dormer to assimilate better into its setting. However, it would not overcome my concern relating to its excessive height, exceeding the ridge of the host property. While the proposal is to raise the ridge of the latter and that of

the adjoining dwelling, for the reasons which I have outlined under 'Procedural Matters', I do not consider that the proposal to raise the ridge of the roof to both properties is enforceable by way of a condition. This is because the red edged planning application location plan does not include the neighbouring property and, moreover, I cannot be certain, on the evidence that is before me, that the occupier of the neighbouring property would be content to raise the roof of that dwelling in the way which is proposed.

14. Even if it were possible to include a condition relating to the increased height of the front elevation to both properties in the way which is proposed, the Wakefield District Residential Design Guide for Householders Supplementary Planning Document 2018 (SPD) considers that increasing the height of a property by altering the roof pitch is seldom acceptable as it would affect significantly the character and proportions of a building, both to its detriment and that of the surrounding area.
15. Therefore, for the above reasons, I conclude that the proposed development would not accord with Policies SP23, LP56 and LP57 of the 'Wakefield District Local Plan 2036' (2024), with the 'Residential Design Guide Part 2: Guidance for Householders' (2018), and chapter 12 of the Framework, all of which require good design.

Conclusion

16. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan, Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR