
Appeal Decision

Site visit made on 17 September 2019

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 September 2019

Appeal Ref: APP/N4720/Y/19/3233947

Black Market, 5 Stainbeck Lane, Leeds, LS7 3PJ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Stoneacre Properties Investments Ltd against the decision of Leeds City Council.
 - The application Ref 19/02648/LI, dated 9 May 2019, was refused by notice dated 3 July 2019.
 - The works proposed are alterations to lower front boundary walls.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact the works would have on the listed building, known as "Stratford House, 5 Stainbeck Lane", or on any features of special architectural or historic interest that it possesses.

Reasons

3. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Policy P10 of the Leeds Core Strategy (Core Strategy) amongst other things seeks development which contributes to the conservation, enhancement or restoration of historic assets which help to give Leeds its distinct identity and this reflects the statutory duties defined in the Act.
4. Stratford House is a late Georgian building originally constructed as a standalone structure. The primary elevation is made up of a higher central block with lower wings to either side. The centrally placed round-arched entrance is flanked by Doric columns. The building is set back from the road and enclosed with a stone boundary wall which runs the public highway. The building has been extended over time and the boundary removed in parts. Nevertheless, the imposing façade, taken along with the enclosed space to the front, provides an indication of the original form and function of the building, as an attractive example of a late Georgian domestic architecture.
5. The building is Grade II listed and although the boundary wall is not referred to in the listing it is evident that it forms part of the curtilage of the heritage asset and so is curtilage listed. The wall has a part tooled finish and is capped with

rounded copings. I am advised that the wall has previously been lowered from its original height when consent was granted for removal of parts of the wall in 2016¹. It is also evident that parts of the original stonework have been replaced, including the gate piers. Nevertheless, the wall forms a prominent feature in the streetscape within its own right and contributes positively to the setting of Stratford House.

6. The proposal would involve the lowering of the wall from 1700mm to 900mm, with the existing tall piers retained at their current height. The reduced height would reduce the strong sense of enclosure which contributes to the imposing character of Stratford House. It would also give a disjointed appearance to the boundary, with retained columns and sections of wall projecting at a significantly greater height than the wall along the frontage. As a result the works would erode the historic character of the building and harm the contribution it makes to the wider streetscene.
7. The harm identified to the listed building would amount to “less than substantial harm” which the Framework advises must be weighed against the public benefits of the scheme. The appellant advises that the wall prevents the businesses behind from having a “high street presence” and that this has had a negative impact on the success of the businesses in the building behind. I noted on site that the building was clearly visible over the top of the wall from both sides of Stainbeck Lane, and in views on the approach from the town centre, where the large picture window on School Lane was prominently visible. I am therefore not convinced that the wall impedes visibility of the existing businesses to a significant degree. Furthermore, I have been provided with no convincing evidence that the viability of the existing uses has been impacted in any case. I therefore give no weight to the matter as a public benefit.
8. The Framework is clear that heritage assets are an irreplaceable resource and that in considering the impact of development on the significance of heritage assets, great weight should be given to the asset’s conservation. The significance is partly derived from its appearance which would be diminished by this proposal. I therefore attribute great weight to the harm which would arise to the significance of the asset. No public benefits have been identified which would outweigh this harm. It follows that the proposal fails to comply with national policy outlined in the Framework and with policy P10 of the Core Strategy.

Conclusion

9. The proposal would harm the significance of the listed Stratford House. No public benefits identified would outweigh this harm. Accordingly, for the reasons given above, and having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR

¹ Planning ref 16/00867/FU