
Appeal Decision

Site Visit made on 15 June 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2021

Appeal Ref: APP/N4720/W/20/3264113

Houldsworth School Engineering Building, Clarendon Road, Leeds LS2 9LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by MBNL against the decision of Leeds City Council.
 - The application Ref 20/04736/DTM, dated 23 July 2020, was refused by notice dated 20 October 2020.
 - The development proposed is telecommunications rooftop installation upgrade and associated works. The top of the proposed apertures is 5.30m above the existing roof level.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The provisions of Schedule 2, Part 16, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (GPDO), require the local planning authority to assess the proposed development solely on the basis of its siting and appearance, taking into account any representations received. My determination of this appeal has been made on the same basis.
3. The principle of development is established by the GPDO and the provisions of Schedule 2, Part 16, Class A of the GPDO do not require regard be had to the development plan. I have had regard to the policies of the development plan and the National Planning Policy Framework (Framework) only in so far as they are a material consideration relevant to matters of siting and appearance.

Main Issue

4. In light of the above, the main issue is the effect of the siting and appearance of the development upon the character and appearance of the area, including nearby Conservation Areas (CAs) and the settings of nearby listed buildings.

Reasons

5. The Houldsworth School Engineering Building is situated within the University of Leeds campus. It occupies a prominent position at the corner of Woodhouse Lane at its junction with Clarendon Road. The substantial scale of the building, its simple straight edged profile and the light tone of its stone-faced facades respond positively to the wider built environment on this key route into the city.

6. The southern boundary of the Headingley Hill, Hyde Park and Woodhouse Moor CA, sits opposite the appeal site to the northern side of Clarendon Road. The significance of the CA includes amongst other things the attractive views from and towards Woodhouse Moor and its historic buildings. One such building is the Grade II Listed 229 Woodhouse Lane, which is situated on the opposite corner of Clarendon Road to the appeal site. The prominent domed corner tower and ornate traditional architecture of this listed building make it a key landmark within the CA.
7. There are other Listed Buildings in close proximity to the site including the Grade II Listed Buildings at the Pack Horse Public House, on the opposite side of Woodhouse Lane, and the Parkinson Building which is situated within the nearby Woodhouse Lane/ University Precinct CA further to the south along Woodhouse Lane.
8. In addition to my observations on site, I have given regard to the zone of theoretical visibility map images provided by the appellant in making my assessment.
9. Some elements of the proposals would be attached to the roof of an existing plantroom. This part of the building's roof is set away from the immediate interface of the building with Woodhouse Lane and Clarendon Road. Whilst visible in some views from street level, these elements of the proposals would be seen in context with the existing telecommunications installation on the building and would be filtered by surrounding buildings in the area and the vegetation on Woodhouse Moor. Therefore, the parts of the proposal consolidated on the existing plantroom roof installation would have a relatively neutral effect on the character and appearance of the area when compared with the existing situation.
10. In contrast, the proposed tripod and mounted equipment to the northern corner of the building would introduce telecommunications paraphernalia to a different part of the roofscape. It would sit within the main line of vision of those travelling towards the site along Woodhouse Lane. The vertical and utilitarian design of the equipment would not assimilate with the prevailing form of the host building. Consequently, this element of the proposals would be an incongruous addition to the skyline in views towards and out of the Headingley Hill, Hyde Park and Woodhouse Moor CA. Due to its relative alignment with 229 Woodhouse Lane, it would also erode the quality of the built environment both in the foreground and background to this listed building and would detract from its setting.
11. To a lesser extent the proposed installation to the northern corner of the roof would also be appreciable in some shared views with the other aforementioned nearby listed buildings and the Woodhouse Lane/ University Precinct CA albeit the harm to their respective settings would be more limited given the relative positions in the street scene.
12. I have a statutory duty under s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area and the setting of Listed Buildings. The National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of designated heritage assets and that any harm to an asset should require clear and convincing justification.

13. Overall and in the context of paragraph 196 of the Framework, the proposal would result in less than substantial harm to the significance of the identified heritage assets. The provision of the telecommunication apparatus would seek to improve mobile phone 5G coverage in the area, with clear associated economic and social benefits. However, these benefits would not outweigh the less than substantial harm that would be caused to the character or appearance of the CAs and the settings of the listed buildings identified having regard to the great weight that I must attach to their conservation. Furthermore, such benefits would not outweigh the significant harm that would be caused by the proposal to the character and appearance of the area.
14. I conclude that the development would not be acceptable in terms of its siting and appearance. Whilst the proposal would deliver economic and social benefits in accordance with paragraph 112 of the Framework, this would not outweigh the harm that would be caused to the character and appearance of the area including to the identified CAs and the settings of the identified nearby listed buildings. In that regard the proposals would not represent sustainable development.
15. From a siting and appearance perspective, the proposals would conflict with the good design and conservation aims of Policies P10 (Design) and P11 (Conservation) of the Leeds City Council Core Strategy (2019), Saved Policy GP5 of the Leeds Unitary Development Plan (2006) and the Framework.

Other Matters

16. I acknowledge that the Framework encourages the use of existing masts, buildings and other structures for new electronic communications capability. A Site Specific Supplementary Information (SSSI) has been provided which amongst other things suggests that the proposal represents the least visually intrusive solution. However, the SSSI also confirms that the discounted options are those which were supplied in support of the existing telecommunications equipment on the building. Therefore, with particular regard to the proposed equipment to the northern corner of the building and its site specific context, there is no substantive evidence before me to persuade me that there are no alternative options that would be less harmful in terms of their siting and appearance whilst also providing comparable telecommunications coverage.
17. Contrary to the appellant's contention that the Council and key stakeholders did not provide feedback at the pre-application stage, I have seen the evidence provided by the Council which raised specific concerns in respect of the elements of the proposal located towards the northern corner of the building.

Conclusion

18. For the reasons given above, I conclude that the appeal should be dismissed.

M Russell

INSPECTOR