



Appeal Decision

Site visit made on 11 July 2022

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2022

Appeal Ref: APP/N4720/D/22/3300289

116 Fountain Street, Morley, Leeds LS27 0PX

- 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 Ryan Rodley against the decision of Leeds City Council.
 - The application Ref 22/01717/FU, dated 8 March 2022, was refused by notice dated 3 May 2022.
 - The development proposed is dormer window to front.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed dormer window is already in place and I note that the application was made retrospectively. I have determined the appeal on that basis.

Main Issue

3. The main issue is whether the development preserves or enhances the character or appearance of the Morley–Dartmouth Park Conservation Area.

Reasons

4. The appeal site lies within the Morley–Dartmouth Park Conservation Area (the CA). In so far as it is relevant to this appeal, the CA draws some of its essential character and significance from the regular rhythms and uniform architecture of the traditional 19th century terraced housing that defines much of the historic townscape. The simple terraced building containing the appeal property is typical of this character, and as such contributes positively to the character and appearance of the CA and its significance as a designated heritage asset.
5. Although the front dormer window has been set down from the ridgeline and in from the chimneys that mark the party walls, it is still a substantial box-like structure occupying a disproportionately large part of the front roof plane of the appeal property. It is clearly visible from the street and significantly and adversely disrupts the otherwise uniform roofscape along the front elevation of the terraced block. This harm is compounded by the proportions and alignment of the window openings, which do not reflect the traditional proportions and balanced composition of the windows in the front elevation below. Cladding the dormer in slate tiles has done little to overcome the harm arising from its position, size, shape, and window design. Consequently, the dormer is not a well-designed and sympathetic addition to the building and street scene. The

contribution made by the appeal site to the significance of the CA has been diminished as a result.

6. The appellant has referred to the existence of other front dormers in the area, including at 100-106 Fountain Street and others along New Park Street. However, these are not positive features and are not so numerous to be considered part of the distinctive character of the street scene and CA as a whole. Their presence should not be seen as validation for the introduction of harmful development at the appeal site.
7. Given the above, I find that the development has failed to preserve or enhance the character or appearance of the CA, and undermines its historic significance. Whilst the harm to the significance of the CA can be classed as 'less than substantial', it is nevertheless a matter of considerable importance and weight, and there are no public benefits identified which outweigh that harm. The development conflicts with the design and heritage requirements of Policies P10 and P11 of the Leeds City Council Core Strategy (amended 2019), saved Policies GP5, BD6 and N19 of the Leeds City Council Unitary Development Plan (Review 2006), and Policy HDG1 of the Council's 'Householder Design Guide' Supplementary Planning Document (2012). It is also contrary to the National Planning Policy Framework (the Framework) with regards to achieving well designed places, as well as conserving and enhancing the historic environment.

Conclusion

8. For the reasons given, I conclude that the development fails to accord with the relevant policies of the development plan and the Framework. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR