



Appeal Decision

Site visit made on 20 February 2024

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th April 2024

Appeal Ref: APP/N4720/D/23/3334965

46 Kerry Street, Horsforth, Leeds LS18 4AW

- 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 Mr Richard Willis against the decision of Leeds City Council.
 - The application Ref is 23/05312/FU.
 - The development proposed is a dormer window to the front.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the development would preserve or enhance the character or appearance of the Horsforth Conservation Area (the HCA).

Reasons

3. The appeal site lies within the HCA which, for the purposes of this appeal, derives some of its essential character and significance from its streets of 19th century terraced housing and traditional roofscape.
4. Despite some modern window replacements, the terraced building containing the appeal property is representative of this character. The unaltered front roofline, regular chimney pattern, and simple and repetitive composition of its fenestration contribute to the uniformity of the terrace and street scene. Furthermore, it is identified in the Horsforth Conservation Area Appraisal and Management Plan 2008 as making a positive contribution to the character and appearance of the HCA.
5. The proposed front dormer would be set down from the ridge, up from the eaves level, and in from the sides. In this regard the proposal would accord with some of the advice in the Council's Householder Design Guide Supplementary Planning Document 2012 (the SPD). Nevertheless, it would be clearly visible from the street and would adversely disrupt the distinctive unaltered front roofline of the terraced block. Furthermore, its flat roof form, horizontal emphasis, and lack of alignment with the window openings below, would be at odds with the traditional character and the balanced composition of the fenestration in the host building. Consequently, the proposed dormer would not be a well-designed and sympathetic addition to the building.
6. While there is a similar dormer at No 31, there are no other front dormers in Kerry Street, causing that lone example to stand out as a highly incongruous and disruptive feature. The dormers on Prospect Terrace are more numerous,

but are within a different street scene context, and so, have limited influence the street scene in Kerry Street. As such, this is not a situation where an overwhelming predominance of existing dormer windows has changed the appearance of the street sufficiently for dormer windows to be considered part of the character.

7. Overall, I consider that the proposal would be a harmful addition to the host building and street scene, and in turn, would erode the significance of the HCA as a whole. The magnitude of harm can be classed as less than substantial in the terms of the National Planning Policy Framework (the Framework). Nevertheless, in the context of the CA as a whole, it would fail to preserve or enhance its character and appearance. This is a matter of considerable importance and weight.
8. The benefit of the proposal would be largely private, relating to the enjoyment of the house by its occupants. Therefore, I find no public benefits that would outweigh the harm I have identified.
9. Thus, the proposal fails to satisfy the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990; parts 12 and 16 of the Framework; Policies P10 and P11 of the Leeds Core Strategy (Selective Review 2019); Saved Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan (Review 2006); and Policy HDG1 of the SPD, which collectively seek to secure high quality design, conserve and enhance the historic environment, and ensure that alterations and extensions respect the character and appearance of the original building.

Conclusion

10. The proposal conflicts with statutory requirements and the relevant policies of the development plan. There are no material considerations which indicate that the decision should be made otherwise. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR