



Appeal Decision

Site visit made on 18 June 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 August 2024

Appeal Ref: APP/N4720/W/24/3340057

The Parish Room, Town Gate, Guiseley, Leeds, West Yorkshire LS20 9JB

- 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 Mark Dexter against the decision of Leeds City Council.
 - The application Ref is 23/07399/FU.
 - The development proposed is change of use of existing premises from use class F2(b): meeting room to use class E: commercial business and including external and internal alterations.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character or appearance of the host building and the Guiseley Conservation Area (GCA).

Reasons

3. The appeal site is a small single-storey, stone built property, which is attached to a short two storey terrace. The property has a pitched roof element to the front and a flat roof extension to the rear. To the front it has two timber sash windows, separated by a stone mullion, with a single stone sill and head, with a timber door. Two windows to the side elevation are currently boarded up, which according to the appellant are timber top openers.
4. The proposal is to change the use of the property from a meeting room (use class F2(b)) to a commercial business in Use Class E. The proposal seeks to replace the existing front windows with a larger single grey upvc window with top opening lights. A new stone sill would be inserted at a lower level to match that of the neighbouring property. The existing door would be replaced with a grey composite type with glazed panels.
5. The property is located within Character Area No 1, Towngate, of the GCA. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to preserving or enhancing the character or appearance of conservation areas. In addition, the National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of heritage assets.
6. The Guiseley Conservation Area Appraisal and Management Plan (2010) (CAAMP) identifies a number of focal areas, rather than a single dominant centre. The appeal site is located within the Town Gate area which according to

the CAAMP retains a village character relating to the medieval village and commercial areas on Oxford Road and Otley Road which recall the prosperous late 19th century town.

7. The CAAMP describes the local architectural style as generally being of plain and simple architectural detail, which includes plain monolithic stone lintels, mullions and sills to doors and windows. These features within the GCA were evident during my site visit. Therefore, the special interest and significance of the GCA as a whole is informed by the traditional buildings and their architectural features. The appeal site is one of a number of unlisted properties that are identified as making a positive contribution to Guiseley in the CAAMP. Alongside with the adjacent property, the appeal building is prominent within the GCA and includes those architectural details listed in the CAAMP. Accordingly, it makes a positive contribution to the character and appearance of the area and the special interest and significance of the GCA.
8. The CAAMP identifies opportunities for the management and enhancement of the conservation area which includes the sympathetic repair of surviving historic features and the replacement of inappropriate shopfronts. Whilst the property is not currently a shop front, as the CAAMP seeks to restore traditional shop fronts it is not unreasonable to expect that where new ones are proposed that they should be of high-quality design which preserve and enhance the character and appearance of the CAAMP.
9. The proposed new window would include two small top openers which are not a feature associated with retail premises in the local area. Further, because the proposed window would be formed of non-timber components, its proportions and profile would not replicate the more traditional appearance found in nearby buildings. The wide profile would also be at odds with the shape of the windows in the area which predominantly have a strong vertical emphasis. In addition, the proposal would remove the stone mullion, a traditional feature within the GCA, thereby altering the proportions of the front elevation. These proposed changes would appreciably alter the size, appearance and vertical profile of the windows and traditional features. The effect of these works would harmfully erode the building's special interest, which contributes to the significance of the GCA and fails to preserve and enhance the character and appearance of the GCA.
10. The appellant has provided photographic evidence which suggests that the window openings are not a traditional feature of the property. Although the property may have been altered over time, it has many of the architectural features which are commonplace within the GCA and contribute towards its significance. I have therefore assessed the harm based on its current appearance.
11. I note that the appellant is seeking to reflect the design of shopfronts on the opposite side of the street. I have no details about whether these have planning consent. However, these have been highlighted in the CAAMP as opportunities for improvement and therefore it would not be appropriate to replicate them.
12. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through the alteration or destruction of

those assets and that this should have a clear and convincing justification. Given that the appeal site makes a positive contribution to the significance of the GCA and that the proposal would lead to the loss of local architectural character, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.

13. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings.
14. The proposal would bring back into use an empty property, which is falling into disrepair. However, there is no disagreement that the property can be changed to retail use. I do not have any evidence before me that the specific changes proposed are necessary to support the change of use and make the intended use viable, and that a scheme cannot be brought forward in a way which would preserve and enhance the character and appearance of the GCA. Therefore, I am not persuaded that the benefits identified are sufficient to outweigh the harm that I have identified.
15. Given the above and in the absence of any defined public benefit, I conclude that, on balance, the proposal would fail to preserve the character or appearance of the GCA. This would fail to satisfy the requirements of the Act and paragraph 203 of the Framework.
16. The proposal conflicts with Policies P10 and P11 of the Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019), which seek to ensure, amongst other things, that new development provides good design that is appropriate to its location, scale and function and that the historic environment is conserved and enhanced. It also conflicts with Policies GP5, BD6, N19 and BC7 of the Leeds Unitary Development Plan (Review 2006) where they require alterations within conservation areas to use traditional local facing materials, respect the scale, form, detailing and materials of the original building and preserve or enhance the character and appearance of the conservation area. As a result, the proposal would not be in accordance with the development plan.

Conclusion

17. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
18. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR