



Appeal Decision

Site visit made on 11 March 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th March 2025

Appeal Ref: APP/N4720/D/24/3355956

73 Outwood Lane, Horsforth, Leeds LS18 4HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Michael Arnold against the decision of Leeds City Council.
 - The application Ref is 24/04797/FU.
 - The development proposed is demolition of existing garage; addition of rear dormer with Juliet balcony to form habitable rooms in roof space, and roof lights to front; erection of garden room to rear and decking; open porch to front; addition of window to ground floor side and amendments to fenestration; replacement of roof tiles.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the above banner heading has been taken from the decision notice as this concisely describes the proposed development.

Main Issue

3. The main issue of the appeal is the effect of the proposed development on the character and appearance of the host property and surrounding area, including whether it would preserve or enhance the character or appearance of the Horsforth Cragg Hill and Woodside Conservation Area (CA).

Reasons

4. The appeal property is a 2-storey semi-detached dwelling situated within an established residential area. There are a variety of property types, styles, ages and building materials nearby with gardens/drives to the front/side and private amenity spaces to the rear.
5. The site lies within the CA. I therefore have a statutory duty under Section 72(1) 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 CA. Moreover, the National Planning Policy Framework (the Framework) advises that great weight should be given to the conservation of designated heritage assets and any harm which is less than substantial should be weighed against the public benefits of the proposal.
6. The significance of the CA is derived from a varied building stock resulting from a slow and piecemeal development spanning three centuries which all exist and make a positive contribution to this tightly defined area through their high quality

and lack of alteration. The steeply sloping land gives attractive long-distance views with the landscape having an important impact on the built environment which is interspersed with green spaces important to the history, character and appearance. The Horsforth Cragg Hill and Woodside Conservation Area Appraisal and Management Plan, 2011 shows the appeal site as falling within Character Area 4 – 20th century development. It explains that the most positive feature of this development lies in its discreetness. Many structures use a palette of neutral materials and have little impact on the historic environment. Whilst the character areas have differing origins and characteristics, their joint development and history forms a coherent area.

7. The proposed development seeks planning permission for amongst other works, the addition of a rear dormer with Juliet balcony to form habitable rooms in the roof space.
8. The Leeds City Council Householder Design Guide, 2012 (HDG) explains that ideally dormers should be located to the rear of a house and should be as small as possible with a substantial area of the original roof retained. Dormers should be set down from the ridge, up from the eaves and set in from the sides. They should not dominate the roof plane and unbalance the existing dwelling. The HDG goes on to state that front elevations of dormer windows should be predominantly glazed (to lessen the impact of their addition) and remain subordinate to the main property by not being of a size and scale which dominates the existing roof.
9. The dormer proposed would be excessively large having a 'box' format with large expanses of solid massing. Whilst it would be set down from the ridge, up from the eaves and in from the sides, this would be marginal and would still cover the majority of the roof plane. It would therefore be an overly dominant addition which would not maintain the appearance and symmetry of the semi-detached pair of dwellings. The dormer window would be significantly visible from the rear cul-de-sac on Woodway Drive appearing as a dominant and bulky addition with excessive massing. This would unacceptably harm the visual amenity of the street scene.
10. The adjoining property No 71 has a rear dormer but this is of a smaller scale set well into the roof and in any event is not understood to benefit from planning permission. Its presence is not directly comparable and would not justify the scheme. I accept that dormer windows are widely used for the properties along Outwood Lane. However, the majority I observed at my site visit were indeed of a smaller size/different design to the appeal I am considering and less prominent from the cul-de-sacs to the rear. They are also likely historical, and I am unaware of their planning history. I observed the rear dormers at No 67 and 69 which are large in size although I did not find such larger dormers to be the prevailing form in the locality and they also appear different to the appeal I am considering in terms of their overall size and design. The pair also have a similar arrangement to one another which ensures a level of symmetry unlike the appeal site and its adjoining neighbour. I do not therefore find these to be directly comparable and thus their presence would not alter my findings nor be sufficient to justify harmful development. The use of predominant glazing may not be reflective of 20th Century housing stock, but this would not alter my findings as its solid massing would add to its overall dominance and bulky appearance even considering its location to the rear of the property.

11. I appreciate that the proposed development would increase the space at the property whilst meeting the needs of the occupiers. However, this would be at the expense of the character and appearance of the host property and surrounding CA which is unacceptable.
12. The proposed development would also introduce a wooden porch to the front which is an uncharacteristic feature in this street scene and thus it would not relate well to the host property and surrounding area appearing as a bulky addition to the front elevation. Whilst there are a variety of property types, styles, ages and materials nearby, I did not observe any porches like the one proposed at my site visit having regard to shape, materials and form. No 26 Outwood Lane is different and is on the other side of the road and thus does not form part of this specific street scene. Many of the properties along Outwood Lane have bay windows to the front with rosemary tiles which is a typical feature in the area. The proposed change of roof tiles to grey slate tiles would therefore have a non-matching detrimental appearance on the property and surrounding area as would the use of grey windows. The introduction of these elements would significantly alter the appearance of the property and character of the CA appearing very different and dominant when viewed alongside its neighbours. When considering the character and appearance of the area, materials including their colour are indeed a key feature for that assessment which I find to be inappropriate in the particular circumstances of this case. I appreciate the appellant's suggestion for a condition regarding the bay window and porch tiles to revert to the rosemary tile although this would not overcome the harm that I have identified when considering the overall design of the scheme which requires a degree of planning judgement.
13. I appreciate the popularity of UPVC windows and the anthracite grey colour and that these are common across many homes. However, in this particular location, the materials choice would be a stark contrast to the existing dwelling and those properties nearby. Whilst grey windows are present in properties along Outwood Lane and the wider area, these are some distance from the appeal property and are few and far between in the immediate vicinity and certainly not the prevailing character of the area.
14. For the reasons given above, I conclude that the proposed development would unacceptably harm the character and appearance of the host property and surrounding area. It would also fail to preserve the character or appearance of the CA. Given the nature of the proposals, the harm would be localised and would therefore be less than substantial within the meaning of the Framework. Paragraph 212 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
15. The benefits associated with the scheme are likely to be of benefit to the occupiers by increasing living space at the property. Overall, it has not been demonstrated that there are sufficient public benefits to outweigh the less than substantial harm to the CA that I have identified which I have attached great weight given the CA's conservation advised by the Framework.
16. The proposed development would therefore be contrary to Policy HDG1 of the HDG, Policies GP5, BD6 and N19 of the Leeds Unitary Development Plan (Review 2006), Policies P10, P11 and P12 of the Core Strategy (as amended by the Core

Strategy Selective Review 2019), 2014 which together, amongst other matters, explains that new development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. For the same reasons, the development would also conflict with Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and sections 12 and 16 of the Framework relating to achieving well designed places and conserving and enhancing the historic environment.

17. The HDG is an adopted document and provides guidance on what will usually be acceptable for such proposals. Whilst each site is indeed different and thus the guidance must be applied accordingly. I find it to be totally relevant in the particular circumstances of this case.

Other Matters

18. I appreciate that no responses were received from statutory consultees or the Conservation Officer. I also note that the Parish and Town Council have neither expressed support nor opposition to the scheme and there were no public comments. This would not however alter my findings on the above main issue and a lack of response/objection does not mean that the development would not be harmful. I have determined this appeal based on its merits.
19. There are frustrations regarding communications with the Council during the application process where the appellant claims that minor amendments could have been made. Even so, the scheme would still be unacceptable as such minor amendments as suggested would not overcome the harm I have identified when considering the scheme as a whole. This would not therefore alter the outcome of my decision.

Conclusion

20. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination including the provisions of the Framework, that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR