



Appeal Decision

Site visit made on 24 April 2019

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2019

Appeal Ref: APP/N4720/W/19/3222980

155 Richardshaw Lane, Stanningley, Pudsey, LS28 6AA

- 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 Ashraf Mehmood against the decision of Leeds City Council.
 - The application Ref 18/06860/FU, dated 29 October 2018, was refused by notice dated 25 January 2019.
 - The development was originally described as "container and W.C."
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The container was already on site at the time of my visit. The application form describes the development as "proposed container and W.C." The W.C. is not shown on any drawings and according to the Council's report this part of the proposal was withdrawn. The appeal form describes the development as "retention of metal container". I have determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site comprises a gap between two blocks of two storey stone built terraced properties with slate roofs. There is a dropped kerb to the front of the site, suggesting it was previously used for parking or access. The remainder of the gap continues to provide pedestrian access to the rear of adjacent properties and wheelie bin storage.
5. The surrounding area is of mixed use. Ground floor premises to either side of the site comprise small retail units with upper floors appearing to be in residential use. To the rear of the site there are dwellings, which I am informed, have access rights through the appeal site.
6. The container is sited up against the side elevation of 157 Richardshaw Lane and is almost level with the frontage of this property. It has a steel roller shutter door to the front and what appear to be two further covered window openings to the side. Despite the presence of steel roller shutters on other shop fronts in the area, the steel container, which is highly visible from the

main road, significantly detracts from the traditional, two storey, pitched roof stone buildings located immediately adjacent to the site.

7. The application form advises the container has been on site since 9 May 2018 and is use class A1. The appeal statement advises the container has been in place approximately 7 years and is used by the appellant as an office and equipment store. The amount of time the container has been on the site and its use do not alter or address the main issue, which is that it appears out of keeping with the immediate area and with the wider streetscene. I acknowledge that the roller shutters were added for security purposes however it is the container as a whole that is unacceptable and not just the shutters.
8. I conclude that the siting of the container has an unacceptable effect on the character and appearance of the area. It is therefore contrary to Policy P10 of the Leeds Core Strategy 2014, which requires high quality design that respects and enhances existing streets and spaces and local distinctiveness and to Policy GP5 of the Leeds Unitary Development Plan (Review 2006)(UDP) in so far as it relates to design considerations.
9. The development also conflicts with the National Planning Policy Framework, which seeks to ensure that new development adds to the overall quality of the area, is visually attractive, and sympathetic to local character and history (paragraph 127). Paragraph 130 states that permission should be refused for development of poor design, which fails to improve the character and quality of an area.
10. However, I do not find policy BD5 of the UDP to be particularly relevant. This relates to other considerations such as daylight, sunlight and privacy. These matters were not reasons for refusal.
11. For the reasons set out above and having regard to all matters raised, I conclude that the appeal should be dismissed.

Rachael Bartlett

INSPECTOR