



Appeal Decisions

Site visit made on 2 November 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2021

Appeal Ref: APP/N4720/W/21/3279495

51 Monkswood Drive, Seacroft, Leeds LS14 1DW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by H Hussain against Leeds City Council.
 - The application Ref 21/02382/FU, is dated 16 March 2021.
 - The development proposed is Side extension to each side of existing building. Containing in total 4no flats of 2no. two-bedroom and 2no. one-bedroom flats.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. An application for costs was made by the appellant against Leeds City Council. This application will be the subject of a separate Decision.

Main Issues

3. The main issues of the proposal are:
 - The effect on the character and appearance of the area; and
 - Whether or not it would result in a highway safety concern.

Reasons

Character & appearance

4. The appeal site is a set piece building of mixed uses, of considerable scale and mass and dominates the immediate area. The ground floor is occupied by a series of commercial units with a public house to one end. The upper floors are occupied by residential flats. It is surrounded by residential housing that is softened by a sizable area of open green space. A portion of oval shaped green space is also located outside the appeal site between the pedestrian access into the ground floor units, and the estate road.
5. The building is of a robust appearance, three storeys in height. Even though the ground floor has been altered, the building retains significant symmetry when viewed from the street scene. The hipped roof set behind a parapet wall and tall chimney stacks to each end makes a striking contribution, emphasising its presence.

6. The additional wings proposed to each side are two storeys in height with limited width to the side and would appear of modest scale against the large-scale proportions of the host building.
7. Furthermore, their roof configuration is proposed to correspond with the existing hipped roof. However, it fails to appear harmonious to the host building given the extent of flat roof that reduces the scale of the hipped roof. The side views of the roof profile would also appear as insignificant elements given the massing of the building. With differing footprint sizes to each proposed extension and their differing positions, this would unbalance the building. Overall, it would not respect its scale or contribute positively to the character of the host building or the street scene.
8. In addition, the oval shaped green space contributes to the setting of the building by providing a softening impact and a valuable contribution to the street scene. This area would almost entirely be removed to accommodate car parking of a hard material. Even though there is additional public green space located close by, the loss of this space would harm the aesthetic quality it provides to the local area.
9. I appreciate that the rear yard would be visually enhanced as a consequence of the proposal, and this would be of benefit to the existing and future occupants of the building. Furthermore, it may be located in a sustainable location. However, these positive factors would not lead me to reach an alternative conclusion. The other examples of similar types of purpose built estate buildings with shops and flats above is noted. Neither examples share precisely the same circumstances as the proposal before me and I cannot reasonably compare them.
10. Therefore to conclude on this main issue, the proposal would detrimentally harm the character and appearance of the host building and the street scene. Therefore, it would conflict with the design aims of the Leeds Core Strategy 2014 Policy P10, saved Unitary Development Plan Review 2006 Policies GP5 and BD6, and the design advice contained in Neighbourhoods for Living 2003 Supplementary Planning Guidance. Finally, it would not meet the aspirations of the National Planning Policy Framework to secure good design. However, I find no direct relevance between the proposal and the Householder Design Guide Supplementary Planning Document 2012 as this relates to householder development.

Highway safety

11. As the appellant explains, the building was built with no on-site parking and parking reliant on kerbside. I have no reason to dispute this statement.
12. Only four additional flats are proposed and a total of five parking spaces is required to support the proposal in line with Council guidance for parking for new residential dwellings.
13. The appellant has included a total of eleven spaces within the submitted plans. The additional spaces are explained by the appellant to support a previously approved scheme to convert the public house into flats. It however does not form part of this proposal.
14. The proposal before me is for four flats only. An over-supply of parking has therefore been presented. Eight of which are proposed within the large oval

green space in front of the building. I have found demonstrable harm would arise to the character and appearance of the street scene as a consequence of losing the grassed area to parking.

15. Given the layout before me, there is no evidence that the required five parking spaces can be accommodated within an alternative location within the site. Even though the appeal site may be located within a sustainable location with good access to local services and public transport, there is nothing before me to lead me to the view that parking should not accord with the Council's car parking guidelines.
16. Therefore, on this basis I can only come to the conclusion that the proposal would not meet the requirements of Policy T2 of the Leeds Core Strategy to provide parking in line with current guidelines or the Street Design Guide 2009.

Conclusion

17. The proposal would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR