



Appeal Decision

Site visit made on 22 March 2022

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th March 2022

Appeal Ref: APP/N4720/D/22/3291852

26 Occupation Lane, Pudsey LS28 8HL

- 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 Stanley against the decision of Leeds City Council.
 - The application Ref 21/07908/FU, dated 20 September 2021, was refused by notice dated 6 December 2021.
 - The development proposed is the conversion of adjacent barn building and double storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion of adjacent barn building and double storey side extension at 26 Occupation Lane, Pudsey LS28 8HL in accordance with the terms of the application, Ref 21/07908/FU, dated 20 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Revision A, 100 Revision C, 110 and 120.

Main Issue

2. The main issue is the effect of the proposed double storey side extension on the character and appearance of the area.

Reasons

3. The appeal site occupies a prominent position on the corner of Occupation Lane and Heath Grove. Occupation Lane is a narrow road with properties of differing ages and designs that are generally set close to the road. By contrast, Heath Grove is more uniform in terms of both the appearances of the dwellings and their positioning in relation to the public highway. The key view in relation to the reason for refusal is the view taken down Heath Grove towards Occupation Lane.
4. At the present time, the existing side elevation of the barn on the appeal site is approximately in line with the front elevation of 34 Heath Grove. Although there is a wall and fencing associated with the appeal property, this is of a relatively low height and as a result vision is uninterrupted above it and across the appeal site. There is an absence of any substantial built development to the front of the dwelling on the opposite corner of Heath Grove, and this creates a

clear visual openness in the wider view taken towards the appeal site and the junction of the two roads.

5. Planning permission was however granted in September 2021¹ for the erection of a single storey side extension in the same location as the double storey side extension which is the subject of this appeal. That permission is extant and given that the appellant appears to be actively pursuing the conversion and extension of the barn, a real prospect exists that the 2021 planning permission would be implemented if this appeal were to be unsuccessful. It therefore represents a viable fallback position.
6. The fallback development would not be as high as the appeal proposal, but it would nonetheless affect and alter the view down Heath Grove. Specifically, it would place built development on a part of the appeal site that is currently devoid of any buildings, thus affecting the open aspect of the street scene in this location. In comparison to this, the additional height of the appeal proposal would not materially alter the impact that arose, in particular as both the previously permitted extension and the appeal proposal would be viewed against the backdrop of the higher dwellings at 47 and 49 Occupation Lane. It would also retain a subserviency to the existing barn, which too would lessen its visual impact.
7. For these reasons, I conclude that the proposed double storey side extension would not cause harm to the character and appearance of the area as a result of its impact on views taken down Heath Grove. Consequently, the proposal would accord with Policy P10 of the Core Strategy 2019 and Saved Policies GP5 and BD6 of the Unitary Development Plan 2006, where they seek to protect character and appearance. There would also be no conflict with the aims of policy HDG1 of the Householder Design Guide Supplementary Planning Document 2012 in the same regard, or with the National Planning Policy Framework where it seeks to achieve well-designed places.

Conditions

8. Conditions are required with respect to the period to commence development and the approved plans, in the interests of providing certainty. The external facing materials to be used on the proposal are shown on the plans, and these would be visually acceptable. A separate condition is therefore not required with respect to materials.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed.

Graham Wraight

INSPECTOR

¹ 21/05842/FU