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# Appeal Decision

Site visit made on 27 September 2022

**by M J Francis BA (Hons) MA MSc MCIfA**

**an Inspector appointed by the Secretary of State**

**Decision date: 2<sup>nd</sup> December 2022**

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**Appeal Ref: APP/N4720/W/22/3303187**

**15 Brompton Row, Beeston, Leeds, West Yorkshire LS11 6JD**

- 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 Mr Richard Willis against Leeds City Council.
  - The application Ref 22/00389/FU is dated 10 January 2022.
  - The development is described as proposed single storey side extension.
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## Decision

1. The appeal is dismissed and planning permission is refused.

## Main Issue

2. The appeal is against the failure of the Council to determine the planning application. The Council have produced a putative reason for refusal and from that I consider that the main issue is the effect of the proposal on the character and appearance of the area.

## Reasons

3. Brompton Row, on which the appeal site is located, is one of four parallel rows of two storey, back-to-back, brick-built terraces between Brompton Terrace and Back Lodge Lane. The houses access directly onto the pavement with no private outdoor space. This creates a dense grid of housing, separated by roads to the front.
4. Number 15 Brompton Row is an end terrace property, which has an area of hardstanding adjoining the side elevation on which the extension is proposed. A similar area of hardstanding is also found at the end of Brompton Grove, the parallel terrace to the south. From evidence on the gable walls of these buildings, it appears that both terraces originally had some form of single storey building attached to them. Nonetheless, these areas of hardstanding, combined with the open yards and single storey buildings found to the rear of the terraced housing on Lodge Lane, which backs onto the site, contribute to the openness of this part of Back Lodge Lane.
5. The proposed extension would cover almost the whole of the open area at the appeal site and be more than half the width of the existing dwelling. This would result in a squat building, which in its appearance and form would not harmonise with the existing terraced house. As the construction of the building would leave an orphaned open area of hardstanding adjoining no 16 to the rear, and as the site is located between other terraced rows, the design and form of the building proposed would appear visually incongruous in this

location. The development would also interrupt and diminish the openness that currently exists along the lane.

6. The apex of the single pitched roof would extend to a height above the sill of the first-floor windows of the house. This would result in a roof form which would be at odds with the existing pitched roofs of the terraced rows and single storey extensions. These roofs currently create a rhythm along Back Lodge Lane which would be disturbed by the form of the extension proposed.
7. Extensions at the end of terraces have been built in the vicinity which includes a flat roofed extension at the corner of Brompton View with Trentham Street. This is built of materials that do not match the existing building, but as it comprehensively covers the whole of the side elevation of the terrace, has a flat roof and it is located at the end of this group of four terraced rows, it is not as visually prominent as the proposal would be. Closer to the host dwelling is No 17A Stratford Terrace, where first and second floor extensions have been built. This is a modern extension to the terraced row which in general follows the height and design of adjoining housing. This contrasts with the proposal site which does not follow the design of buildings around.
8. The proposal would create a very large bin store, and at the time of the site visit there appeared to be only one wheelie bin on the street that was used by the property. The appellant has stated that the proposal is to resolve long standing issues of fly tipping but no quantifiable evidence of this has been provided. There was no evidence of fly tipping at the site visit, but the proposed site was partly covered by a touring caravan and the area was demarcated with a series of pots with plants growing out of them.
9. Therefore, the proposal would harm the character and appearance of the area. It would not accord with the Leeds Local Plan Core Strategy (as amended by the Core Strategy Selective Review 2019), 11 September 2019, Policy P10 which requires design appropriate to its location, scale and function. It would also not accord with saved policies BD6 and GP5 of the Leeds Unitary Development Plan Review 2006 which requires the resolution of design issues, and that alterations and extensions need to respect the scale, form, detailing and materials of the original building.

### **Other Matters**

10. I accept that discussions took place between the parties during the determination of the application, however they have had little bearing on my decision which is based on the planning merits of the proposal.

### **Conclusion**

11. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.
12. For the reasons given above, I conclude that the appeal is dismissed.

*M J Francis*

INSPECTOR