



Appeal Decision

Site visit made on 13 June 2023

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 June 2023

Appeal Ref: APP/N4720/W/23/3317978

7 East Grange Drive, Belle Isle, Leeds LS10 3EH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Ron Cummings against the decision of Leeds City Council.
 - The application Ref 22/04386/FU, dated 23 June 2022, was refused by notice dated 17 January 2023.
 - The development proposed is erection of storage building.
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Decision

1. The appeal is allowed and planning permission is granted for outbuilding to rear to be used as a salon ancillary to the existing hotel at 7 East Grange Drive, Belle Isle, Leeds LS10 3EH in accordance with the terms of the application, Ref 22/04386/FU, dated 23 June 2022, and Existing Location Plan; Elevations and Floor Plans Drawing No. 001 Rev A.

Procedural Matters

2. The proposed development has already been completed. The appeal scheme has therefore been assessed on a retrospective basis.
3. At my site visit I was able to see that the works that have taken place do not reflect the works as referred to in the officer's report in terms of appearance. The appellant has since confirmed that they have improved the appearance in that *'it is no longer 'white' but appears red brick with grey eaves matching the host dwellings' painted window cills, lintels and downpipes'*. The submitted plans do not indicate such specific materials and although not determinative, I have taken this into account in reaching my decision.
4. The description of development in the banner heading has been taken from the original application form. However, the decision notice includes for the outbuilding to be used as a salon ancillary to the existing hotel. It is clear from the appellants' supporting information that this is reflective of the works proposed. I have therefore included the description as set out in the decision notice, in the terms of my decision in the interests of certainty.

Main Issue

5. The main issue is the effect of the proposed development on the character and appearance of the site and surrounding area.

Reasons

6. The appeal site relates to an outbuilding located within a largely residential setting to the rear of an existing three-storey detached property. The host

property forms part of a row of other residential properties that front onto East Grange Drive with their rear garden areas backing onto Woodville Grove. They sit at a slightly higher level to Woodville Grove given the topography of the land and are separated by a high-level brick wall.

7. The outbuilding is accessed from the side gate to the front of the host property but is located to the rear of the garden area with the rear elevation abutting the brick wall.
8. Due to the site's location adjacent Woodville Grove and its positioning and level difference, part of the building's rear elevation is visible when viewed from Woodville Grove. However, the outbuilding despite its portable cabin form, is single storey, of a relatively low height and whilst not determinative, the appellant has revised the appearance to appear as red brick to be more in keeping with the overall appearance of the main dwelling and neighbouring properties. This, together with the relatively limited overall depth and width appears reasonably subordinate compared to the size and appearance of the main property.
9. Additionally, and although the outbuilding is not shielded from views given the relationship with Woodville Grove, it is located to the rear of the property where outbuildings of a similar form/alignment would not be an uncommon feature. I note the Councils' comments regarding the flat roof form. However, given the location to the rear of the property and the function/appearance as an outbuilding, such a roof form helps to minimise the height and does not necessarily look out of place.
10. Due to the overall design and position to the rear of the host property, the outbuilding does not appear as a highly dominant addition. Accordingly, the development accords with Policy P10 of the Leeds City Council Core Strategy (as amended by the Core Strategy Selective Review 2019) which requires good design that is appropriate to its location, scale and function. The development also accords with the aspirations of the National Planning Policy Framework relating to achieving well-designed places.

Other Matters

11. I am aware of communications between the parties regarding the use of the main property and if any permitted development rights exist. It is not my role in the context of this appeal to determine the use of the main property and whether or not the outbuilding is lawful/benefits from permitted development rights in order to decide whether reliance could be placed on such permitted development rights as a fallback. I have determined the appeal based on its own merits having regard to the evidence in front of me.

Conditions

12. I have considered the conditions suggested by the Council taking into account the retrospective nature of the appeal. I agree that a plans condition is necessary in the interests of certainty. The Council has suggested a condition relating to the opening hours. However, given that the development is ancillary to the existing hotel, I do not find it necessary to impose such a condition and this has therefore been omitted.

Conclusion

13. For the reasons given above and having had regard to the development plan as a whole, the appeal is allowed.

N Teasdale

INSPECTOR