
Appeal Decision

Site visit made on 30 October 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/N4720/W/24/3351127

35 Richardshaw Lane, Stanningley, Pudsey, Leeds LS28 7NB

- 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 Richard Burrows (Richlea (Leeds) Ltd) against the decision of Leeds City Council.
 - The application Ref 24/00300/FU, dated 16 January 2024, was refused by notice dated 5 March 2024.
 - The development proposed is demolition of existing building and the construction of a single residential unit.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal has altered from the application form to the decision notice. That on the application form adequately describes the proposal and I have considered the appeal on that basis whilst noting its location to the rear of 35 Richardshaw Lane (No.35).
3. The appeal is accompanied by an amended plan which has been put forward following the Council's original decision on the application. That plan includes amongst other things a substantially different roof design. There is nothing to indicate that any public consultation has taken place on the basis of that plan and accepting it may prejudice interested parties. I have therefore considered the appeal on the basis of the plans that were before the Council when they made their decision.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the Pudsey Conservation Area (the Conservation Area).

Reasons

5. The proposal would see a single storey residential unit constructed in place of an existing structure to the rear of a building identified within the CAAMP¹ as making a positive contribution to the character of the Conservation Area.
6. This part of the Conservation Area on the western side of Richardshaw Lane comprises largely of traditional stone-built terraced properties of substantial

¹ Pudsey Conservation Area Appraisal and Management Plan – Leeds City Council – 2009.

age which have an established and attractive appearance. The form, scale and materials of its buildings are some of the key components of its significance. The terrace within which No.35 is contained is constructed of stone and incorporates pitched roofs finished with traditional materials. The buildings within the terrace often retain stone boundary walls to enclose the front and rear outdoor spaces and these make a positive contribution to the significance of the Conservation Area.

7. The existing studio unit at the site, although clearly not forming a domestic feature, broadly makes a neutral contribution to the character and appearance of the Conservation Area as a result of its walling materials, established appearance and pitched roof.
8. The flat roof on the proposed unit would be at odds with the pitched roofs which contribute positively to the significance of the Conservation Area. Further, there would be a degree of overdevelopment of the plot given the proposed unit would extend all the way to the boundary to the rear lane with the resultant loss of the existing rear boundary wall.
9. The proposal would subsequently detract from the significance of the Conservation Area, harming its character and appearance. The harm to the significance of the Conservation Area would be less than substantial. Paragraph 208 of the Framework² requires such harm to be weighed against any public benefits of the proposal.
10. The benefits of the proposal would be the provision of an additional residential unit within a well located position to access local services and facilities. I also note the problems with leaks and damp which the proposal as a whole could address. However, given the degree of harm I have found that would arise from the scheme and the statutory protection afforded to Conservation Areas, the benefits are not sufficient to outweigh the harm.
11. The proposal would conflict with policies P10 and P11 of the Leeds Core Strategy (2019) and saved policies GP5 and N19 of the Leeds Unitary Development Plan Review (2006) (UDP). Amongst other things, these policies require proposals of good design and the protection of the historic environment. All new buildings within Conservation Areas should at least preserve the character or appearance of the area.
12. The officer report indicates that the proposal is not considered unduly harmful to existing neighbours and future residents' amenity. I have no reason to disagree and on that basis there would be no conflict with Policy BD5 of the UDP which requires that new buildings should be designed with consideration given to both their own amenity and that of their surroundings.

Planning Balance and Conclusion

13. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan with which the proposal would conflict. I therefore conclude that the appeal should be dismissed.

T Burnham

INSPECTOR

² National Planning Policy Framework 2023.