



Appeal Decision

Site visit made on 22 October 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2024

Appeal Ref: APP/N4720/W/24/3349414

8 Savile Road, Chapeltown, Leeds LS7 3ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Sam Watterson of Watts & Co against the decision of Leeds City Council.
 - The application Ref is 24/02057/FU.
 - The development proposed is change of use of dwellinghouse (C3) to HMO (C4) with a new window and lightwell to front elevation and rear dormer window.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development with regards to;
 - On street parking and highway safety; and
 - The character and appearance of the host property and surrounding area.

Reasons

3. The appeal site is a brick-built dwelling located within a residential terrace. The terrace is part of a wider group which are arranged in a grid formation with the rears of dwellings facing one another separated by access roads. To the front, the property has a square bay window, lightwell to the basement and dormer window. To the rear the property has a two-storey outrigger with a lean-to extension and small enclosed yard area. Although the two rows of terraces fronting onto Saville Road have slightly different architectural features, they provide a uniform appearance to the street scene. The rear of the terraces follow the same regular pattern and, with the exception of one property which has a dormer, retains an unbroken rear roof pattern.
4. The wider local area is predominantly residential with properties arranged in a similar pattern to Savile Road. The appeal site does not have off-street parking, with the surrounding unrestricted streets used for this purpose. The site is within a short walk from local facilities and from a bus stop which provides services into the city centre.
5. The proposal is for the change of use of a dwellinghouse to a 7 person House of Multiple Occupation (HMO), in addition to a new window and lightwell to the front elevation and a rear dormer window. The Council are satisfied that the

proposal would not lead to an over-saturation of HMOs in the area and that the proposed living standards are appropriate. I concur with these conclusions.

Highway Safety

6. Policy T2 of the Core Strategy (as amended by the Core Strategy Selective Review 2019) (CS) seeks to ensure that there is adequate provision of car parking across the city. The Transport Supplementary Planning Document (2023) (SPD) sets out detailed parking guidelines to meet this objective, including proposals for HMOs. The SPD draws a distinction between parking requirements for HMOs for students in particular areas of the city with the strategic aim of reducing the concentration of HMOs in specific areas. The appeal site is located in the "Fringe" area and therefore requires 1 space for every 2 people. As a result, the proposal is expected to generate an additional two car parking spaces above its use as a C3 dwelling.
7. The Council has put forward that parking along Savile Road is at capacity and this is supported by photographic evidence. Furthermore, the Council contends that assumptions on capacity are based on observations made during the site visits, historical aerial photographs and comments from locally elected Ward Members with knowledge of the area.
8. The appellant has submitted a number of photographs as part of the appeal which illustrate the variation in levels of on-street parking. This information has been shared with the Council and therefore I do not consider that they would be prejudiced if I were to accept this information and have considered the appeal on this basis. The appellant contends that the views of highways officers of the on street car parking situation are merely a snapshot in time. However, no detailed parking survey has been submitted which shows the levels of car parking over different timescales.
9. At the time of my site visit, Savile Road was heavily parked, with few available spaces. The availability of spaces is likely to worsen in the evenings when residents return from work. Although there was availability in surrounding streets, including Mexborough Road, many of the cars which were parked, had obstructed pavements due to the width restrictions of the road. Whilst I acknowledge that this evidence is also only a snapshot in time, given the lack of off-street parking and that there is no substantive evidence to suggest otherwise I am satisfied that the area is subject to heavy parking demand.
10. The appellant has put forward that residents of HMOs rarely own vehicles as well as cycles and that there would be no increase in demand for parking. However, no evidence has been provided to support this assertion. Nevertheless, any level of increased parking pressure would inevitably lead to parking on the surrounding streets. At present there are no restrictions on these roads, however they are fairly narrow, and any further pressure would exacerbate obstruction of pavements, to the detriment of pedestrians and wheelers. There are also a number of junctions in close proximity to one another and therefore parking near these junctions is likely to cause conflict in vehicle movements in these locations.
11. Accordingly, the proposal would increase the on street parking pressures on the area, albeit on a small scale, to the detriment of the free flow and efficient movement of traffic in the vicinity which would cause harm to highway safety.

12. The SPD also requires that the proposal provides adequate storage for 7 bicycles, which would need to be sheltered and enclosed. Although the submitted plans show the storage of 4 bicycles, this would not provide adequate space for the proposal. However, the appellant has suggested that cycle parking could be provided and secured by planning condition, which I consider would address this matter appropriately.
13. The proposal would cause harm to on street parking and highway safety. Therefore, it would conflict with policies P10, H6 and T2 of the CS and policy GP5 of the Unitary Development Plan and the SPD. These policies seek amongst other things to ensure appropriate car parking provision and avoid highway congestion and maximise highway safety.

Character and Appearance

14. The appellant has submitted revised plans titled 'Proposed Elevations Layout' which more accurately reflect the existing roofline which runs above the rear outrigger. The Council have had the opportunity to comment on the revised plans and contend that the drawings remain inaccurate, as the roof line of the rear outrigger is slightly lower than shown and I concur with this view.
15. The simple form and generally uninterrupted pattern of the rear roofline and its tall chimney stacks are a key feature of the local area. At present there is only one property along Savile Road with a rear dormer. This feature has broken the uniform appearance of this rear roofscape. The proposed dormer would further erode this character. Furthermore, although it would be set back from the eaves over the outrigger it would be flush to the eaves of the main part of the roof. This would therefore overly dominate the rear appearance of the host property thereby causing harm to its character and appearance.
16. The proposed development would harm the character and appearance of the host property and surrounding area. It thereby conflicts with policy P10 of the CS, policies GP5 and BD6 of the UDP and the Neighbourhoods for Living Supplementary Planning Guidance. These policies seek amongst other things to ensure that alterations respect the scale, detailing and materials of the original building and provide good design that is appropriate to its location, scale and function.

Other Matters

17. I recognise that dormer windows can be constructed as permitted development whilst the property is in C3 use. Although the dormer is required to achieve appropriate internal space standards for the proposed HMO, the appellants states that this will be implemented irrespective of the outcome of the appeal. Therefore, there is a real prospect of this development taking place, which would have similar harms to character and appearance as the appeal. I therefore give this modest weight.

Conclusion

18. The proposal would provide additional HMO accommodation with appropriate living standards. However, it would cause harm to highway safety and the character and appearance of the host property and the surrounding area. These harms are not outweighed by the benefits that I have identified.

19. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it.
20. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR