



Appeal Decision

Site visit made on 21 January 2025

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 February 2025

Appeal Ref: APP/N4720/D/24/3354117

Sadler Hall Lodge, Church Lane, Adel, Leeds LS16 8BU

- 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 John Gibb against the decision of Leeds City Council.
 - The application reference is 24/03000/FU.
 - The development proposed is a single story extension to the rear of the property in an existing courtyard between the existing property and existing garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the host dwelling and area.

Reasons

3. The Council raises no objection to the proposed extension itself, only the proposal to enclose the gateway in the boundary wall and the partial blocking up of a window. I see no reason to take a different view.
4. There are stone walls along much of the southeastern boundary of Church Lane near to the appeal site. There is some variety in height and stone type and there are occasional gaps to accommodate drives and access roads. Nevertheless, the stone boundary walls close to the street edge form a notable presence in views along Church Lane and positively contribute to the character and appearance of the area. This includes the stretch of boundary wall that is the subject of the appeal, notwithstanding its different character.
5. The enclosure of the gateway would result in the loss of some detailing in the boundary wall. However, in my judgement, the positive contribution that the stone boundary walls make to the character and appearance of the area is derived in part from the sense of enclosure that they provide in contrast with the more open nature of the northwestern side of the road. This sense of enclosure would be maintained with the infilling of the gateway.
6. While the internal side of the wall may have been constructed from brick, it is stone that is presented to the roadside. Although the area of brick infill to enclose the gateway would not be extensive, there would be a loss of visual continuity along the road frontage which would appear inharmonious. The introduction of a

noticeably different material would be clearly apparent in views along Church Lane. The proposal would result in a discordant visual change to the wall.

7. Reducing the size of the window would alter the proportions of this side elevation of the dwelling. However, given that the window size would be similar to other ground floor windows, this would not be to such an extent that there would be harm to the character and appearance of the dwelling or wider area.
8. However, consistent with the other windows, the one in the side elevation has detailing which positively contributes to the appearance of the dwelling. The submitted plans indicate that this detailing would be lost with the replacement window. The use of brick to block up part of the wall to accommodate the smaller window would be visually jarring with the stone elevation and would give this side of the dwelling an incongruous appearance. The appellant identifies that the internal skin of the dwelling is brick, and that bricks reclaimed from a previous renovation would be used for the window infill. Nevertheless, the external skin of the side elevation, as with the majority of the dwelling, is stone. The use of brick to partially infill the window space would be visually detrimental to the character and appearance of the dwelling.
9. The appellant states that they would be willing to suspend the window alteration and to change the infill material of the gateway from brick to stone. These alterations would not affect the description of development. However, the appeal process should not be used to evolve a scheme. It is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the Local Planning Authority and by interested parties at the application stage.
10. A condition could be imposed to retain the window in the side elevation. However, the use of stone rather than brick to enclose the gateway would result in a substantial difference in how the resulting development would appear. I am mindful that the procedural constraints of a Householder Appeal prevent the Council from having a further opportunity to formally comment on these changes. Consequently, in the interests of fairness, I have determined the appeal on the basis of the plans that were before the Council when it made its decision and on which parties were consulted.
11. For the reasons given, I conclude that the proposal would unacceptably harm the character and appearance of the host dwelling and area. It would therefore conflict with the design objectives of Policy P10 of the Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019), Policy BD6 of the Leeds Unitary Development Plan (2006 Review) and the guidance in Policy HDG1 of the 2012 Householder Design Guide Supplementary Planning Document.

Conclusion

12. The proposal would conflict with the development plan taken as a whole. There are no material considerations of sufficient weight that would indicate a decision other than in accordance with the development plan. Therefore, for the reasons given, the appeal should be dismissed.

F Wilkinson

INSPECTOR