



Appeal Decision

Site visit made on 28 March 2025

by R Gravett BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd April 2025

Appeal Ref: APP/N4720/W/24/3355005

11 Rosebery Street, Pudsey, Leeds LS28 7JZ

- 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 J Petty against the decision of Leeds City Council.
 - The application Ref is 24/03645/FU.
 - The development proposed is Retention of existing dwelling and new proposed end of terrace dwelling created to form a new 2 bedroom 3 person dwelling with associated hard and soft landscaping works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application form and decision notice refer to the site address as being Roseberry Street, but it is clear from the appeal form and street signage that it is Rosebery Street. Therefore, for clarity, I have used the address on the appeal form in the banner heading above.

Main Issue

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

Reasons

4. The appeal site is part of 11 Rosebery Street (No 11), comprising land to the side which was originally a garden but has been cleared and fenced. No 11 forms one end of a short terrace of two-storey dwellings, which are dual fronted, accessed from Rosebery Street via an unsurfaced lane, and from Highfield Street. The proposed dwelling would front Highfield Street, adjoining the gable of No 11 and extend to the side, forming a new end of terrace.
5. The first part of Highfield Street and Rosebery Street is characterised by semi-detached or short rows of terraced cottages, including back-to-back cottages, which are either constructed in stone or finished in a pebble-dash render. It has a relatively dense urban grain but, although distances vary, the spacing between the flanks and gables of dwellings nevertheless give some visual relief to the built form, and a degree of openness, which contributes positively to the character and appearance of the area.

6. The parties have drawn my attention to an appeal decision for this site from March 2024¹, a copy of which has been provided in evidence. In this decision, the Inspector refers to the subordination in scale, height and width of the single storey outrigger to No 11, which has now been removed, assisting in maintaining the visual break between both its immediate context, but also within the surrounding area. In response to this, the ridgeline of the proposed new dwelling has been set down from the existing roof of No 11 by around 1.4m and it would be offset slightly from the front building line. As a result, I accept that in its scale and massing it would clearly be a subordinate addition to its host, and the wider terrace.
7. In ensuring the proposed dwelling is subordinate, its low ridge height means that the eaves of the roof would broadly align with the bottom sill of the first-floor windows of No 11. The proposed dwelling would also be sited at a slightly lower ground level than the terrace and it would have level, rather than stepped, access to the front door. Whilst similar in style and appearance, the alignment of the eaves and fenestration of the new dwelling would appear discordant with the wider terrace.
8. The proposed new dwelling would be narrower than its neighbours but would fill most of the width of its plot. However, it would be offset by around 3.5m from the flank of the non-attached neighbour at 13 Rosebery Street, a large, double-fronted detached dwelling. Although I accept the proposal would inevitably elongate the host terrace, this level of offset would nonetheless ensure that there remains a clear visual break, or gap, between the two dwellings. The existing views from Highfield Street toward open land beyond Rosebery Street would also largely be retained.
9. Despite this, when viewed from both Rosebery Street and Highfield Street alongside the higher ridgelines of both No 11 (and the wider terrace) and No 13, the design of the new dwelling, with squat proportions, would appear incongruous, and somewhat contrived, entirely at odds with the prevailing height, form and character of development in its immediate context. In this regard it would conflict with the guidance in the Council's *Neighbourhoods for Living – A Guide for Residential Design in Leeds* (2003) which seeks to ensure that proposals respect local character and that the scale, massing and height of proposed development is considered in relation to its surroundings.
10. I therefore conclude that the proposed new dwelling would cause significant harm to the character and appearance of the surrounding area. It would be contrary to Policy P10 of the Leeds Local Plan, Core Strategy (as amended by the Core Strategy Selective Review 2019) (2019) and saved Policy GP5 of the Leeds Unitary Development Plan (Review 2006) (UDP) which together, amongst other things, require high quality design of a size, scale, design and layout appropriate to its context and respects the character and quality of surrounding buildings.
11. Policy BD5 of the UDP requires new buildings to consider both their own amenity and that of their surroundings including usable space, privacy and daylight and sunlight. These are not matters in dispute between the parties and I do not find this policy determinative to the main issue.

¹ APP/N4720/W/23/3334736

Other Matters

12. The appeal site is within an existing residential area where the development of a new dwelling has planning policy support and has been found by the Council to be acceptable in principle. The proposal would also contribute, albeit in a small way, to boosting the supply of much needed new homes. However, whilst these matters lend support to the appeal proposal, they do not outweigh the harm that I have found to the character and appearance of the surrounding area.
13. The appellant has drawn my attention to four examples in the wider area where planning permission has been granted for either a two-storey side extension, or a new dwelling in the garden. I have very limited information before me regarding the context of these examples, or why the appellant considers them similar to the appeal site, although it is commented that they also back onto perceived open land. It is not possible therefore to draw any direct comparison with these examples, save that I have determined that the appeal proposal would partly retain views to the open land beyond Rosebery Street. In any event, I have determined this appeal on its individual site characteristics and merits.

Conclusion

14. 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. For the reasons given above, I conclude that the appeal should be dismissed.

R Gravett

INSPECTOR