



Appeal Decision

Site visit made on 20 March 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th May 2025

Appeal Ref: APP/N4720/W/24/3356257

Shadwell Grange, Shadwell Lane, Leeds LS17 8AW

- 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 the Trustees of Shadwell Grange against the decision of Leeds City Council.
 - The application Ref is 24/04541/FU.
 - The development proposed is change of use from a residential dwelling to a commercial holiday let.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the appeal relates to a listed building, and further listed buildings are located in the surroundings of the appeal site, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issue

3. The main issue is the effect of the proposed development upon the living conditions of neighbouring occupiers with particular regard to the levels of activity and disturbance that it would be likely to generate.

Reasons

4. Shadwell Grange is a large, traditional residential property dating from the 19th century. Shadwell Grange adjoins other residential properties and, together with Stable Cottage and Shadwell Grange Farmhouse, it is Grade II listed, and it forms a part of a complex of listed buildings set within impressive, landscaped grounds. The appeal site includes some significant parts of the landscaped grounds as well as driveway and parking areas. Whilst on the fringes of suburban Leeds, owing to these grounds, and much of the complex being set away from Shadwell Lane, the group of residential properties the site forms a part of has a largely tranquil character.
5. It is submitted that the appeal site would be let as a whole to holidaymakers for short periods of 7 days or less. On this basis, the guest turnover of the groups which would occupy Shadwell Grange would be high, new departures and arrivals would occur frequently. By their nature, holidays and weekend breaks have a propensity to entail a concentration of leisure and fun-filled activity. Therefore, even if Shadwell Grange was not let out to the likes of stag or hen groups and those most likely to generate a partying atmosphere, proposed occupants would visit the property for holidaying and leisure purposes and be in the mood and spirits that would make them more likely to engage in more exuberant behaviours.

6. I anticipate that prospective holidaymakers would want to take full advantage of the attractive nature of Shadwell Grange and of its garden and grounds. The impressive characteristics of the property would be new and novel to most groups. Consequently, and so long as the weather was not inclement, I would expect that each frequently arriving group of holidaymakers would want to familiarise themselves with, explore and spend as much time as possible within these grounds for various forms of recreation and for the likes of photo-taking. These activities and this exploration would be likely at times to take place close-by to other properties within the wider site complex.
7. I am particularly concerned with the implications of this for the occupiers of No 408 Shadwell Lane (No 408). Although some areas of hedgerow and fencing assist with the separation, the grounds within the appeal site partly wrap around No 408 on its southern side with just a boundary wall, which in areas is quite low, separating parts of the appeal site from No 408. Consequently, a quite intimate relationship between the properties exists.
8. The use of and undertaking of activities in those parts of the appeal site grounds closer to this boundary would be likely to cause disturbance to the occupiers of No 408 and generate for those neighbouring occupants feelings of being intruded upon. Although it is put to me that further forms of barrier could be installed to protect the living conditions of the occupiers of No 408, the specific details of what this would entail are not before me and, given the appeal property is a listed building, such an installation may well be an unsympathetic and inappropriate approach. In such circumstances I cannot conclude that such a barrier would be an appropriate means of mitigation.
9. Permanent residents would use the grounds around Shadwell Grange as well. However, permanent occupants would be familiar with them and their layout. Going about their regular daily lives, rather than being on holiday, and used to their surroundings, I find that permanent occupiers would unlikely share to the same degree that want to explore and take fullest advantage of the grounds. Permanent occupants would not be in that same state of holiday spirit which each new influx of holidaymakers would. Therefore, it is far less probable that permanent residents would engage in more high-spirited and exuberant behaviours which would be disturbing to neighbouring residents. In addition, in my view, permanent occupants would be more predisposed to ensuring that they behave in a manner which remains courteous and respectful toward their neighbours. In the absence of that same long-term stake in the residential complex, and perhaps unaware that neighbouring occupiers are not also on holiday, the chances are that holidaymakers would not act as considerately on a consistent basis.
10. Furthermore, as a result of the holiday let occupancy and the high turnover of guests, there would be a particular tendency for certain movements and comings and goings to arise from the development. Whilst it is the case that any occupants may decide to employ cleaners, there would be a particularly strong expectation by each new group of holidaymakers that the property would be very clean and tidy. Therefore, an especially regular influx of cleaners would be likely to arise as a result of the proposal. Another typical movement bound to take place would be the taking back and forth of luggage. As occupants of the proposed development would be on holiday, I also consider that there would be a clear prospect for frequent trips being undertaken to sample the evening economy, to go to the likes of restaurants. This would mean that comings and goings would take place late-on

at more unsociable hours. Collectively, such types of movements to and from and in and out of Shadwell Grange would contribute further to neighbouring occupiers in the complex's residential properties being disturbed.

11. I have limited information before me on what measures a management plan would propose, and I am not confident that it would effectively manage the activities and disturbances I am concerned would arise. Therefore, I am not satisfied that imposing a condition requiring such a management plan to be agreed and implemented would address my concerns. The appellant has stated that noise monitoring devices could also be installed but, again, I have limited information before me on how they would function, whether they would monitor internal or external areas, or both, and why, ultimately, they would prove an effective measure to address the types of disturbances I consider would be harmful, particularly given that they are varied in character.
12. In coming to the above views that the proposed development would disturb neighbouring occupiers, I accept that, as it is such a large property, any residential use of Shadwell Grange would likely entail quite a high number of occupants. As a result, in all likelihood, car ownership levels, comings and goings and general activity arising from the occupancy would also be quite high. I can also envisage that the use of Shadwell Grange as a permanent residence would mean that some particular comings and goings would likely take place more often, or more often at certain times of the day, than if it were occupied by holidaymakers. For instance, earlier trips out to work or more visits by post workers and delivery drivers. I have also borne in mind that holiday accommodation occupancy will be the subject of fluctuation so there could well be periods when the property would be vacant.
13. However, the frequent turnover of different guests, the characteristics of the appeal site and its relationship with neighbouring property, the propensity for prospective occupants to be in a holiday spirit and some of the particular comings and goings liable to result from the holiday use would, as a set of circumstances and effects, combine. Altogether, the result of the proposed development would be levels of activity which would be sufficiently different, greater and more disturbing to neighbouring occupiers than otherwise would take place. Unacceptably harmful effects upon their living conditions would, therefore, arise. Consequently, the proposal conflicts with Policy P10 of the Leeds City Council Core Strategy and Policy GP5 of the Leeds Unitary Development Plan. In summary, and amongst other matters, these policies require developments to be appropriate to their location, to contribute positively to place making and wellbeing and to protect residential amenity.

Other Matters

14. The additional holiday accommodation would provide a boost to the local tourism sector, further choice for holidaymakers and the development would make a contribution to the economy. However, the benefits which would be derived from this would be modest, and they would be insufficient to outweigh the harm I have identified in my main issue.
15. The appellant has presented to me an alternative scenario whereby Shadwell Grange could be subdivided into multiple flats and that, as a consequence, it would have a greater occupancy and more comings and goings. However, I have no reason to conclude that the subdivision of the property into flats would not

require planning permission. The application for that permission would need to be considered by the local planning authority on its own merits, and there are no assurances that it would be granted. As a result, the prospect of Shadwell Grange being subdivided into flats does not present a fallback position which weighs in favour of the proposal to any meaningful extent.

16. The significance of Shadwell Grange, Stable Cottage and Shadwell Grange Farmhouse, and that of the other Grade II listed buildings nearby within the wider complex (Tudor Cottage, The Lodge and the outbuilding at Shadwell Grange Farm), is principally derived from their architectural, artistic interest and historic interest. The proposal is solely for a change of use, and it would result in no physical alterations to Shadwell Grange or built development within the complex. Therefore, the significance of the listed buildings would not be harmed by the development proposed and their features, interest and settings would be preserved.
17. It is submitted to me that the proposal is a means by which to ensure the longevity of Shadwell Grange. As a designated heritage asset, Shadwell Grange is an irreplaceable resource which should be sustained. However, I have no compelling evidence that this would not occur in the absence of the proposal. Neither do I have any substantive evidence that any proceeds from the development would specifically go toward the conservation of the heritage asset. Consequently, I cannot conclude that the proposal would benefit the heritage asset.
18. The appeal site is located within the Green Belt. The Council are satisfied that the proposed development would not constitute inappropriate development within the Green Belt, and I have no reason to disagree.

Conclusion

19. The proposal conflicts with the development plan as a whole, and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

H Jones

INSPECTOR