
Appeal Decision

Site visit made on 22 May 2025

by **David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 May 2025

Appeal Ref: APP/N4720/W/25/3362744

585 Meanwood Road, Leeds LS6 4AY

- 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 Siddique against the decision of Leeds City Council.
 - The application Ref is 24/07051/FU.
 - The development proposed is change of use of household to form two flats; removal of two chimneys; addition of stores to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.

Main Issues

3. The main issues are the effect of the proposal on the:
 - Living conditions of future residents with regards to internal living space; and
 - Character and appearance of the host property and the area.

Reasons

Living Conditions

4. Policy H6(C) of the Core Strategy 2019 (as amended) sets out a number of criteria relating to flat conversions. Policy H6(C)(ii) specifies that the internal layout should be suitable for the number of units proposed. Policy H9 of the Core Strategy sets out that for dwellings of the type proposed the minimum internal floor area should be 37sqm. Neither of the dwellings would meet this standard. Although 1 of the flats would only be marginally below this figure, the other flat is substantially below the minimum space standard.
5. Policy H6(C)(vi) refers to internal living accommodation, but this is in terms of daylight, outlook and the juxtaposition of living rooms and bedrooms. Based on the evidence before me, the proposal would provide suitable accommodation in respect of these matters. However, this does not negate my conclusions in respect of the amount of internal living space.

6. The supporting text for Policy H9 indicates that viability appraisals may demonstrate exceptional site circumstances which mean that the minimum space standards cannot be met, and that a departure from Policy H9 may be justified. The appellant refers to the significant deterioration of the property and the substantial investment to restore it. However, no substantive evidence in respect of viability has been provided to demonstrate that the delivery of the scheme is reliant on the provision of the flats as proposed. The appellant also refers to an identified need for 1-bedroom flats in the area as opposed to 2-bedroom flats. However, need is not a demonstration of viability. In any event, the evidence in respect of need is not sufficient to warrant the approval of 2 sub-standard flats.
7. Policy H6(C)(ii) of the Core Strategy also sets out that the property should be of a sufficient size i.e. a minimum of 100sqm gross. The property does not comply with this. However, the reasons for this minimum gross area have not been set out by the Council, and I am mindful that 2 flats of the minimum size required by Policy H9 could be provided in a property of less than 100sqm. On that basis, although the proposal does not comply with the 100sqm gross floorspace requirement of Policy H6(C)(ii), based on the evidence before me this does not weigh against the proposal.
8. Drawing the above together, the proposed flats would include inadequate floor areas, with resultant significant harm to the living conditions of future residents in respect of internal living space. The proposal would therefore be contrary to the amenity, layout and space standard requirements of Policies H9 and H6(C) of the Core Strategy and Policy GP5 of the Leeds Unitary Development Plan Review 2006 (the UDP).
9. The proposal would also be contrary to the advice of the emerging HMO, Purpose-Built Student Accommodation and Co-Living Amenity Standards SPD in respect of space standards. However, given the stage of preparation of this emerging document and the potential for unresolved objections and future amendments, this SPD carries limited weight in my consideration of this appeal.

Character and Appearance

10. The Council's concerns on this issue relate to the removal of chimneys which it considers would harm the appearance of the host property, the terrace and the wider streetscape. However, in their Final Comments, the appellant has identified the potential of keeping the chimneys in place and only removing them internally. This could be addressed by a condition, and on that basis the proposal would not be harmful to the character and appearance of the host property and the area.
11. Subject to an appropriate condition, the proposal would not conflict with the character and appearance requirements of Policies P10 and P12 of the Core Strategy and Policies GP5 and BD6 of the UDP. The proposal would also not conflict with the National Planning Policy Framework with regards to achieving well-designed places. The proposal would also not be contrary to the advice of the Householder Design Guide in respect of design and appearance.

Other Matters

12. The Council's Delegation Report states that the proposal does not fully comply with Policy H6(C)(vii) of the Core Strategy in respect of safe and secure access. Reference has also been made to the supply of family housing in the area.

However, these issues are not referred to in the reasons for refusal, and as I have dismissed this appeal for other reasons then I have not considered these further.

Conclusion

13. Notwithstanding my conclusions in respect of character and appearance, I have concluded that the proposal would lead to significant harm to the living conditions of future residents. The proposal would therefore be contrary to the development plan when read as a whole in respect of amenity, layout and space standards. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR