



Appeal Decision

Site visit made on 22 September 2025

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 November 2025

Appeal Ref: APP/N4720/D/25/3369923

Mandalay, Albion Street, Clifford, LS23 6HY

- 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 Hannah and Luke Sugden against the decision of Leeds City Council.
 - The application Ref is 25/01595/FU.
 - The development proposed is first floor and single storey side extension; conversion of garage to form habitable rooms.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council requested that the appeal site be viewed from neighbouring properties, however there was no request to do so from the occupiers of these properties, and I am satisfied that I was adequately able to view and appreciate the appeal site and its surroundings from within the appeal site itself.
3. Although not identified as a reason for refusal by the Council, I have a statutory duty to consider the effect of the proposal upon Clifford Conservation Area. I am also in receipt of representations from interested parties in this respect. I have therefore considered this as a main issue.

Main Issue

4. The main issues are the effect of the proposal upon:
 - the significance of Clifford Conservation Area, and;
 - the living conditions of occupiers of existing properties with particular regard to outlook and light.

Reasons

Clifford Conservation Area

5. The appeal property is located within Clifford Conservation Area ('the CA'). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The CA is focused around the centre of the village and its significance, insofar as is relevant to this appeal is derived from the historic layout of the settlement, the number of historic buildings and the consistency of materials, including the use of limestone.

6. Mandalay is a relatively modern property and is set back from Albion Street. It is not currently prominent in the street, effectively being located beyond an older neighbouring house (The Croft). Other older properties exist to the northeast of the appeal site on South View, and more modern dwellings to the north, at Willow Glade. As a result, Mandalay sits in recessed position and is effectively surrounded by other dwellings in a relatively tight, and somewhat uncharacteristic urban grain. The dogleg projection to the front of the appeal property which would accommodate the appeal proposal is located at the end of the driveway and is visible from the road.
7. While the materials used to construct the proposal would reflect the existing house and the wider CA, it would increase the scale of the appeal property. Given its position as an infill property between other residential dwellings, and the relatively tight grain of development, the resultant dwelling would appear disproportionality large given the overall scale of its plot, and its recessed position. It would introduce visual bulk of modern design, on the shared boundary with 1 South View, which forms a modest terraced house set at the end of a long front garden, eroding the historic semi-rural character of that dwelling.
8. The Croft, located to the south, is a detached building located at the corner of Albion Street. It is of some age and stature and is identified by the appellant as dating to at least 1891. Its scale, stature and position at a bend in the road mean that it is a prominent building within the street. Mandalay, situated beyond it, is largely screened by The Croft, with the single storey garage projection of the appeal dwelling forming the most visible element of the dwelling. Consequently, it currently appears as a subservient structure, and the tight grain which results from the position of the appeal dwelling is not readily apparent from the street.
9. The proposal would significantly increase the height and bulk of the garage element of the appeal dwelling. As a result, although not highly prominent from Albion Street, it would nevertheless compete with The Croft in visual terms, as well as emphasising the tight grain of dwellings in this location, where at present this is only currently suggested.
10. Furthermore, although there are examples of other modern dwellings within the area, many of those located on Albion Street are much older. The overtly modern design of the proposal, with its hipped roof, along with its greater prominence in comparison to the current arrangement, would lead to an incongruously modern addition to the street, particularly as it would be seen between the older properties of The Croft and those on South View.
11. This part of Albion Street is characterised by dense hedgerows and there are some mature trees and undergrowth that filter views of dwellings to a significant extent, nevertheless, the harmful effects that I have identified would be apparent from points along Albion St, particularly when travelling north, as well as from within nearby properties and garden, and would not be wholly mitigated.
12. I acknowledge that there are other examples of extended dwelling in the area, including to older dwellings. However, none of the examples put to me is directly comparable to the circumstances of the appeal property and the proposal that is before me. Consequently, these examples do not lead me to conclude that the proposal would not be harmful.

Heritage balance

13. Overall, having regard to the above, I conclude that the proposal would lead to harm to the character and appearance of the CA. This would be of a low level of less than substantial harm.
14. Paragraph 215 of the National Planning Policy Framework ('the Framework') states that where a development would lead to less than substantial harm to a heritage asset, that this harm should be weighed against the public benefits of the proposal.
15. The proposal would have minor economic benefits during the construction process; however, these would be time limited. It would also provide an improvement to living conditions to the occupant, and any future occupant, of the fourth bedroom at the appeal property, where the dimensions of the existing bedroom are substandard when judged against the standards set out in the Leeds Core Strategy. These are public benefits to which I ascribe modest weight.
16. Paragraph 212 of the Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. I therefore afford great weight to the less than substantial harm that I have found, and this is not outweighed by the benefits of the scheme that have been identified.
17. The proposal would conflict with Policies P10 and P11 of the Leeds Core Strategy, Policies GP5 and N19 of the Leeds Unitary Development Plan, and Policy DEV2 of the Clifford Neighbourhood Plan. Together and amongst other factors, these policies state that development will have regard to its context, and will preserve or enhance the character or appearance of the CA.

Living conditions

18. The proposal would add mass to the existing garage structure and would be close to boundaries shared with neighbouring properties. It would undoubtedly be visible from these properties.
19. The evidence before me includes a Sun Path Study, which comprises three dimensional renders of the proposal, along with an assessment of the effect of the proposal upon shadowing of neighbouring properties at various times of the year and times of day.
20. The exact methodology of the Sun Path Study ('SPS') is not before me, nor is there any indication that it has been carried out by a suitably qualified individual. This limits the weight to which I can afford it. Nevertheless, it forms a useful tool in assessing the potential effects of the proposal in this regard and appears to be based upon recognised software.
21. Generally, the SPS indicates that the proposal would be unlikely to have a significant effect upon the living conditions of occupiers of neighbouring properties in relation to sunlight. It may affect garden areas to a limited additional extent in comparison to current conditions, and could, at specific times, have an impact upon the levels of light available to occupiers of a property on Willow Glade. This correlates with my own assessment of the provided drawings.
22. There is some dispute in terms of when a neighbouring property may currently receive early morning sunlight in winter months, in comparison with the findings of

the SPS. However, even taking account of such potential anomalies, I conclude that any adverse effects would be limited to specific times of day, and specific periods of the year, and therefore any harm over and above the existing situation would be time limited. Overall, it would not lead to unacceptable living conditions in this respect.

23. In terms of outlook, while the proposal would be readily apparent, separation between the proposal and neighbouring properties would remain, and even taking into account any minor differences in levels between the appeal site and those properties surrounding it, the proposal would not appear as excessively large or be at such proximity that it would unacceptably reduce levels of outlook available to occupiers of these properties.
24. The proposal would not lead to unacceptable harm to the living conditions of occupiers of existing properties with particular regard to outlook and light. It would be in accordance with LCS Policy P10 and LUDP Policy GP5, which together, and among other factors state that development should seek to avoid loss of amenity, including sunlight and daylight.
25. It would also accord with advice within the Leeds Householder Design Guide which states that development proposals should protect the amenity of neighbours.

Other Matters

26. I acknowledge that the appellant may have collaborated positively with the Council in designing the scheme that is before me. Be this as it may be, I am required to consider the appeal on the basis of the merits of the proposal, and this would not, therefore, weigh in favour of the proposal.
27. There is no dispute that the proposal would be acceptable in terms of its effect upon highway safety, and even if I were to agree that it would not lead to unacceptable living conditions for occupiers of neighbouring properties in terms of noise and disturbance, these would be neutral factors and would not weigh in favour of the proposal.

Conclusion

28. The proposal would lead to less than substantial harm to a designated heritage asset, as set out above. It would conflict with development plan as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with the development plan in this case. For the reasons given, I conclude that the appeal should be dismissed.

C Harding

INSPECTOR