



Appeal Decision

Site visit made on 5 January 2026

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 3 February 2026

Appeal Ref: APP/N4720/W/25/3375860

43 Street Lane, Roundhay, Leeds, LS8 1AP

- 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 Amir Imani Veghaslou against the decision of Leeds City Council.
 - The application reference is 25/03991/FU.
 - The development proposed is addition of bi-fold doors to existing shop front, replacement of tarmac hardstanding to front of café with flagstones.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development on the application form refers to the replacement of the existing shopfront including installation of bi-fold doors and repositioning of the entrance door, and the replacement of tarmac surfacing with flagstones. At my site visit I observed that the shopfront works have already taken place, whereas the resurfacing works have not. As the term “retrospective”, as used on the Council’s decision notice and the appeal form, does not describe a form of development, I have determined the appeal based on the description on the application form and what I saw at my visit.
3. The appeal site lies within the Roundhay Conservation Area. Under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The National Planning Policy Framework (the Framework) requires that great weight be given to the conservation of heritage assets.

Main Issues

4. The main issues are:
 - the effect of the proposed development on the character and appearance of the area, with particular reference to the Roundhay Conservation Area (CA); and,
 - whether the proposed development would improve or maintain accessibility for people with disabilities or mobility issues.

Reasons

Character and appearance

5. The appeal property forms part of a prominent shopping parade which is a defining element in the character and appearance of the surrounding area, and which lies within Character Area 5 – West of the Park of the CA. Although the Conservation Area Appraisal (CAA) does not describe in detail the specific architectural composition of the Street Lane shopping parade, it identifies the parade as forming part of the positive built character within Character Area 5. Its contribution derives from the parade's coherent and consistent frontage rhythm, including the repetition of display windows, separate entrance doors, stall risers and traditional shopfront proportions, which collectively contribute to the distinctive appearance of this part of the CA. As such, it is the appearance and identity of the parade as a whole, rather than any individual feature, that makes a positive contribution to the CA's character.
6. The plans show that the pre-existing shopfront was modern rather than historic, but importantly it retained a configuration that included a stall riser and a recessed side entrance. However, as there is no clear evidence to demonstrate that the previous shopfront either formed part of the Conservation Area at designation or caused harm to its significance, its contribution must be treated as neutral. Furthermore, a perceived absence of benefit in the existing situation does not reduce the statutory duty to ensure that new development preserves or enhances the CA.
7. The frontage now comprises 4 folding leaves and a separate entrance door, all set within thicker and bulkier aluminium frames and arranged in 5 equal vertical divisions. Although this creates a superficially 'ordered' appearance, the resulting composition departs fundamentally from the characteristic horizontal shop-window format of the parade. The established arrangement of a defined display window with a stall riser and a separately articulated entrance has been lost, replaced instead by a vertically segmented bi-fold system. This configuration does not reflect the established form and collective rhythm of the parade and, therefore reads as an incongruous intervention within the CA.
8. While contemporary elements can be acceptable in principle, the combined effect of these changes results in a marked departure from the characteristic proportions and visual hierarchy of shopfronts along the parade. The heavier framing increases visual weight, and the regular vertical segmentation removes the coherent "shop window plus door" composition that underpins the CA's character. Furthermore, that the parade exhibits broad variety is acknowledged, but the evidence demonstrates that a predominant traditional pattern persists, and the development erodes this established character.
9. The appellant refers to the permitted shopfront at 39 Street Lane (La Petit) as precedent. However, that permission and subsequent alteration of the shopfront was determined under an earlier policy context, long before the current local and national heritage policies and the CAA were in place. Given these changes in the policy context, I do not find the example provided directly comparable to the proposal before me. Furthermore, the glazing system La Petit employs slim-framed, fixed full-height glazing, not the heavier, openable bi-fold system used here. In any case I have considered this proposal on its own, individual, merits.
10. Accordingly, the development would neither conserve nor enhance the character or appearance of the area and would, thereby, undermine its significance. As the

proposal would be limited to changes to the appearance of the shopfront at ground floor only, the level of harm resulting to the CA would, in the terminology of the Framework, be less than substantial, although towards the lower end of that spectrum, but nevertheless of great importance.

11. Paragraph 215 of the Framework states that less than substantial harm to the significance of a designated heritage asset (in this case the CA) should be weighed against the public benefits of the appeal development. Furthermore, paragraph 212 of the Framework states that when considering the impact of a development on the significance of a designated heritage asset great weight should be given to the asset's conservation. As such, I acknowledge the operational flexibility of opening the frontage in summer months may modestly contribute to vitality, but there is no evidence that the business could not function with a less harmful frontage, nor that street activity would be diminished. Consequently, in heritage terms the limited public benefits would not be of sufficient weight to justify the harm to the CA identified above.
12. I therefore conclude that the development harms the character and appearance of the area, including the CA. Hence, it fails to satisfy the requirements of the Act and the Framework, and conflicts with Policies P10, P11 and P12 of the Leeds Local Plan Core Strategy Review September 2019 (CS), saved Policies GP5, BD6, BD7 and N19 of the Leeds City Council Unitary Development Plan Review 2006 (UDP), Policy RTC4 of the Leeds City Council Site Allocations Plan, January 2024, in so far as it is relevant, and guidance within the CAA, and the Roundhay Neighbourhood Design Statement (RNDS), which taken together and among other things, seek to ensure development is of high-quality design, conserves and enhances the historic environment, respects the scale and detailing of existing buildings, preserves or enhances the character or appearance of the CA, maintains appropriate shopfront design within protected frontages, and reflects the locally distinctive character and townscape of the area.

Accessibility

13. The proposal includes the replacement of the existing tarmac forecourt with flagstones, which has not yet taken place. The submitted plans do not indicate any alteration to the existing ground levels, and there is no evidence before me to suggest that the resurfacing would introduce steps, gradients or other features that would impede access for people with disabilities or mobility impairments.
14. While detailed construction information, such as the precise falls, jointing, edging treatments and the interface with the adjoining forecourts and street, has not been provided, these technical matters could be satisfactorily addressed by a planning condition requiring the submission and approval of full surface and level details prior to the commencement of the resurfacing works. There is no substantive evidence to suggest that such matters could not be designed to achieve step-free access equivalent to that which exists at present.
15. On this basis, and subject to the imposition of reasonable and necessary conditions securing the detailed design of the surfacing works, I conclude that the development would maintain, and could potentially improve, accessibility for people with disabilities or mobility issues. The proposal would therefore align with the inclusive design aims of Policy P10 of the CS, and with the accessibility guidance in

the RNDs which seek, among other things, to ensure development provides safe, convenient and inclusive access for all users.

Conclusion

16. While the scheme would accord with the development plan in respect of accessibility, it conflicts with it in relation to character and appearance and the significance of the CA. Material considerations do not indicate that the appeal should be decided other than in accordance with the development plan. For the reasons given above, I conclude that the appeal should be dismissed.

C Mayes

INSPECTOR