



Appeal Decision

Site visit made on 5 January 2026

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 9 February 2026

Appeal Ref: APP/N4720/W/25/3375409

71 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 Harrison Pinder against the decision of Leeds City Council.
 - The application Ref is 25/03614/FU.
 - The proposed development is “Retrospective Planning Permission for a partial change of use to a parking area for Class E (b) and the erection of a wooden decked seating area for the existing café”.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Reference to “retrospective” in the description of the application is not a form of development. However, the application form confirms that the development has been completed, and I was able to see this during my site visit. I have therefore determined the appeal on that basis.
3. Although the description refers to both a change of use and the erection of the structure, the effects of the use are inseparable from those arising from the built form. I have therefore assessed the planning implications of the development as a whole.
4. As the appeal site is within the Roundhay Conservation Area, I have a statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The National Planning Policy Framework (the Framework) also requires great weight should be given to the conservation of heritage assets. These include conservation areas.

Main Issues

5. The main issues are the effect of the change of use of land and subsequent development on:
 - the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Roundhay Conservation Area (CA); and,
 - highway safety.

Reasons

Character and appearance

6. The Roundhay Conservation Area Appraisal (CAA) describes the area as the “essence of the middle-class suburban ideal”, with its significance derived from the relationship between the late Georgian park and the surrounding predominantly late Victorian and Edwardian residential development. The area is notable for the way in which buildings and their settings merge into a cohesive whole.
7. The CA is divided into character areas with the appeal site located in Character Area 5 – West of the Park. The character area is typified by regular rows of predominantly stone-built, gable-fronted houses set behind garden walls and tree-lined verges, and the CAA highlights the importance of these open spaces within the street scene. While the shopping parade, in the context of which the appeal site is located, lacks garden walls and tree-lined verges, the open forecourt to the front of the parade provides uninterrupted views of the gable-fronted shopping parade, contributing positively to the spacious rhythmic character and visual quality of the area and significance of the CA.
8. The timber structure and associated outdoor seating area, erected on the front forecourt to 71 Street Lane, occupies an area previously used for forecourt parking. It is detached from and sits forward of the main building and shopping parade façade, separated from it by a service road. The structure comprises a simple timber open-slatted roof supported by vertical posts, set upon a low timber deck platform enclosed by a close-boarded timber balustrade.
9. The timber structure and enclosed seating area occupy a prominent and exposed position within the open forecourt, projecting forward of the established building line and introducing a substantial degree of built form where none has historically existed. Its scale, forward siting and enclosed timber construction give it a notable visual presence that competes with the host building and interrupts clear views of the gable-fronted parade. The structure also introduces a palette of materials that contrasts sharply with the prevailing stone-built character of this part of the CA, further emphasising its incongruity.
10. Collectively, these elements erode the spacious, open qualities that define the frontage and create visual clutter that disrupts the established rhythm and coherence of the terrace. In doing so, the structure weakens the historic and spatial relationship between the buildings and the public realm, which is an important component of the area’s significance.
11. Although the forecourt is not a designed or intentional open civic space, its openness nonetheless makes a clear and positive contribution to the character and appearance of the CA. The CAA identifies open frontages, spaciousness, and clear views of built form as characteristic of this part of Roundhay, and these qualities are readily appreciable in the uninterrupted forecourt that fronts the parade. The presence of parking and associated activity does not diminish this contribution, nor does it justify the introduction of a permanent built structure that erodes this openness.
12. Accordingly, the development fails to preserve or enhance the significance of the CA as a designated heritage asset. The harm to significance which, in the terminology of the Framework would be less than substantial, and towards the mid-

range of that spectrum due to the prominence of the structure, results from the erosion of openness, and the discordant effect of the scheme's contrasting materials within the street scene.

13. 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 scheme may support the ongoing viability of a local business, sustain employment and maintain an active frontage. However, there is no substantive evidence that the business, or any other business in the surrounding area, would become uncompetitive or cease to trade if the appeal were dismissed. Moreover, sustaining employment levels and maintaining an already active street scene are neutral points. Consequently, the limited public benefits would not be of sufficient weight to justify the harm to the CA identified above.
14. In conclusion, the development harms the character and appearance of the site and surrounding area, including the CA. Therefore, it fails to satisfy the requirements of the Act and the Framework and conflicts with Policies P10 and P11 of the Leeds City Council Core Strategy Review 2019 (CS), and saved Policies N19, BD6 and GP5 of the Leeds City Council Unitary Development Plan Review 2006 (UDP), which together seek to ensure that development responds positively to its context, respects and reinforces local distinctiveness, protects important views and spatial qualities, and preserves the significance of heritage assets. In particular, these policies intend that development integrates appropriately with the established pattern, form and materials of its surroundings and avoids introducing visually intrusive or discordant features that would erode the character or appearance of the area. The development also conflicts with the aspirations of the CAA, which emphasises the importance of maintaining open frontages, spaciousness, and clear views of built form as defining characteristics of this part of the CA.

Highway safety

15. The appeal development occupies part of the shared forecourt to the parade, an area that I am told has long operated as a well-used parking and manoeuvring space for customers visiting the various commercial units along Street Lane. Although the parking bay markings have faded, I saw at my site visit that the area continues to function as informal off-street parking. From my observations and the evidence before me demand for these spaces is consistently high. The timber structure and enclosed seating area occupy a space sufficient to accommodate approximately 3 parking spaces.
16. In addition to displacing existing parking, the development also increases the café's customer capacity. In the context of the Leeds City Council Transport Supplementary Planning Document February 2023 (SPD), this generates an additional parking requirement of approximately 2 spaces. I therefore find that the development results in a combined shortfall of around 5 off-street parking spaces. Given the established high demand for parking along the parade, and the limited nature of alternative provision in the immediate vicinity, this shortfall is likely to lead

to displacement of vehicles on the already constrained forecourt, onto Street Lane, and into nearby residential streets.

17. Such displacement would increase the likelihood of indiscriminate or ad hoc parking. This has the potential to obstruct pedestrian routes, impede visibility at junctions, and contribute to congestion within the forecourt and along Street Lane. I have no substantive evidence that the local highway network has capacity to absorb the displaced demand without adverse impact, and I noted that parked vehicles already occupy much of the available forecourt space.
18. The siting of the timber structure further reduces intervisibility between reversing vehicles, pedestrians, and vehicles travelling along the forecourt access road. The structure's position broadly aligns with the extent of diagonally parked vehicles. However, unlike a vehicle, it is a fixed and permanent element that constrains visibility at all times. This is of particular concern in an area characterised by a high turnover of short-stay parking, regular pedestrian movement, and manoeuvres occurring within a confined shared space.
19. Having considered the evidence, I am satisfied that the loss of off-street parking, combined with the increased activity associated with the additional seating, would materially add to parking pressures in an already constrained environment. In the absence of any more robust or locally specific alternative method, I consider the approach used to assess both displaced parking and increased demand provides a proportionate and locally appropriate basis for understanding the effects of the development.
20. Even allowing for variations in travel behaviour and the informal operation of the forecourt, the reduced parking capacity and the permanent obstruction to visibility created by the structure would, in combination, lead to conditions that would materially worsen manoeuvring space and intervisibility within the forecourt. As such, the development results in an unacceptable impact on highway safety.
21. I note that the appellant refers to the absence of recorded incidents since the timber structure's installation, and to the accessibility of the area by public transport, walking, and rideshare services. However, the absence of reported accidents is not, in itself, determinative of whether the development gives rise to an unacceptable risk, particularly where physical visibility is clearly restricted. Likewise, the presence of sustainable travel options does not negate the need to ensure that development does not materially increase danger to highway users.
22. Consequently, based on the evidence before me, I conclude that the development results in both an unacceptable loss of off-street parking provision and a reduction in intervisibility between vehicles and pedestrians, which together give rise to an unacceptable impact on highway safety. It therefore conflicts with Policies T2 and P10 of the CS and saved Policy GP5 of the UDP, which together seek to ensure that development provides a safe and secure environment, and safe suitable access for all users, does not materially add to problems of safety or efficiency on the highway network, and delivers appropriate parking provision in accordance with local standards. It also conflicts with the guidance in the SPD, which requires development to avoid unacceptable impacts on highway safety.

Other Matters

23. I have had regard to the representation made in support of the development, including comments highlighting the café's role in contributing to local vitality. While I recognise these views, they do not outweigh or alter my findings on the main issues.

Conclusion

24. The appeal development conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude the appeal should be dismissed.

C Mayes

INSPECTOR