
Appeal Decision

Site visit made on 28 February 2017

by A A Phillips BA(Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 March 2017

Appeal Ref: APP/N4720/D/16/3162231
20 Dearne Croft, Wetherby LS22 7UP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Burnup against the decision of Leeds City Council.
 - The application Ref 16/04535/FU, dated 18 July 2016, was refused by notice dated 12 September 2016.
 - The development proposed is the erection of a detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site is currently used as a domestic garden situated on the very edge of a residential part of Wetherby. To the north are open areas of land used as allotments, agricultural fields and a playing field. This verdant pleasantly landscaped site along with other rear gardens along Dearne Croft clearly mark the transition from the built-up area of Wetherby to the open countryside beyond. I therefore consider that the plot is visually important and makes a positive contribution to the spatial character of the locality.
 4. I note that it does not appear that planning permission was granted for the change of use of the site from agricultural land to a C3 domestic garden use. However, the Council does recognise that nonetheless it is likely to benefit from lawful use due to the passage of time.
 5. The proposed garage is of modest design and proportions and in terms of its scale, form and materials is generally suitable for a residential area such as Dearne Croft and it would reflect the residential character of the adjacent land use.
 6. From my observations on site the garage does appear to extend beyond the building line formed by Nos 2 to 20 Dearne Croft and would be immediately prominent on the approach towards the site from Aire Road. It would not extend beyond the building line created by Toll Bar House. However, given the existing character of the site at the head of the cul-de-sac the garage would appear as an incongruous and prominent feature at odds with its immediate setting. Furthermore, from the immediately adjacent footpath and Wetherby
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Road the building would interrupt the green and open area of land at the edge of the settlement, thus compromising the character of the edge of the settlement adjacent to open countryside.

7. Although the appellant argues that the open and spacious character of the area has already been compromised by Toll Bar House and that landscaping could soften the effect of the proposal, I consider that the erosion to the attractive, open and verdant character of the site and its immediate surroundings would be harmful to the character and appearance of the area.
8. I recognise that the garage would be almost identical to the existing garage built at No 35 and therefore it would provide consistency in terms of design. Nonetheless, the existing garage at No 35 is well-screened from the nearby road and a large part of Dearne Croft by very dense and high hedging. Consequently, it is not at all visually obtrusive or prominent from outside its immediate surroundings. In any case I have determined the current appeal on its own merits.
9. The appellant also contends that the garage would help to relieve problems arising from the large number of cars parked on Dearne Croft. I noted at the time of my morning mid-week site visit that there was some on-street parking along the street, but no obstructions to the safe and convenient movement of highway users in the vicinity. I recognise that this is only a snap shot in time. I also observed that properties along Dearne Croft have off-street parking spaces which are likely to be used by residents rather than parking their vehicles on the street.
10. I conclude that the proposal would be harmful to the character and appearance of the area. Therefore, it is contrary to the design provisions of Policy P10 of the Leeds Core Strategy, saved Policy GP5 of the Leeds Unitary Development Plan (Review 2006) and the National Planning Policy Framework. These policies seek among other things to ensure that development is of a high quality design which respects its surroundings and has regard to local distinctiveness and the wider context of the place.

Conclusion

11. For the reasons given above and taking into account other matters raised I conclude that the appeal should be dismissed.

Alastair Phillips

INSPECTOR