
Appeal Decision

Site visit made on 20 February 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 February 2020

Appeal Ref: APP/N4720/D/19/3242586
8A Firthfields, Garforth, Leeds LS25 2HD

- 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 Mrs Eleanor Wilkinson against the decision of Leeds City Council.
 - The application Ref 19/05157/FU, dated 15 August 2019, was refused by notice dated 30 October 2019.
 - The development proposed is described on the application form as "Retrospective application to obtain planning approval for a stone wall to be constructed to the perimeter of the front garden & along the side of the driveway. The application also includes the installation of Electric gated vehicle access & a pedestrian gate".
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Decision

Preliminary Matter

1. At the time of my visit to the property the works set out in the description above had been carried out. It is clear that the Council considered the proposals on this basis, and so shall I.

Main Issue

2. The main issue is the effect of the development on the street scene.

Reasons

3. The boundary treatment is shown on the submitted plans as being of approximately 2m in height consisting of a low wall with pillars interspaced with panels, including a sliding gate. The wall is described by the Council as consisting of artificial stone and the panels as being grey plastic.
4. I noted at the site visit that the local area included a variety of boundary treatments, generally consisting of low walls and often including a hedge above. Within this context of generally low-level boundary treatments fronting on to road, the appeal scheme appears as a prominent and incongruous feature that is harmful to the street scene.
5. I note the appellants comments with regards the use of a variety of materials used in boundary treatments in the area and that the area is not designated as a Conservation Area. Nonetheless I have identified harm to the street scene resulting from the appeal scheme.
6. The appellant's statement details that, amongst other matters, the appeal scheme provides for improved security at the property and relates to the fear of crime. However, I have not been provided with substantive details of the

security needs of the appellant or the nature of the fear of crime experienced by the appellant. Therefore, while this is a benefit that weighs in favour of the appeal scheme it does not outweigh the harm I have identified previously.

7. The appellant asserts that a number of relevant policies, including the Householder Design Guide Supplementary Planning Document (September 2012) are out of date because they predate the National Planning Policy Framework (the Framework). The appellant does not identify any specific conflict between the relevant policies and the Framework. On the basis of the evidence before me I do not find that the policies are out of date or in conflict with the Framework.
8. The appellant details that owners of the properties along Firthfields could remove their front boundary wall or hedge without permission and could exercise other permitted development rights that would affect the street scene. Nonetheless, permitted development rights would not apply to the appeal scheme and the ability of other homeowners to make changes to their properties without making a planning application first, does not negate the harm to the street scene that results from the appeal scheme.
9. For the reasons detailed above I find that the appeal scheme would harm the street scene contrary to Policies GP5, N25 and BD6 of the Leeds Unitary Development Plan Review, Policy P10 of the Leeds Core Strategy and Policy HDG1 of the Householder Design Guide Supplementary Planning Document and guidance within the Framework, that amongst other matters seek to ensure that new development is well designed with reference to its location, scale and function.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

Mark Brooker

INSPECTOR