



Appeal Decision

Site visit made on 16 June 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/N4720/W/20/3245818

Former Chevin Nurseries Site, Carlton Lane, Yeadon, Leeds LS19 7BG

- 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 & Mrs Greaves against the decision of Leeds City Council.
 - The application Ref 19/06302/FU, dated 9 October 2019, was refused by notice dated 5 December 2019.
 - The development proposed is a Dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the proposal is inappropriate development within the Green Belt;
 - The effect on the character and appearance of the area; and
 - The accessibility of the site to local transport and services.

Reasons

Whether inappropriate development in the Green Belt

3. The site is accessed from a narrow spur lane off Carlton Lane in East Carlton, and is the first parcel of land to its south side. It is identified by the Council as within the washed over Green Belt, and as non-allocated green field land. Both sides of the lane are flanked by a combination of new build dwellings of traditional stone material, farmhouses and barn conversions.
4. There is evidence remaining of the former use of the site as a plant nursery with the frames of polytunnels and low walls to support greenhouses. Most of the land is grassed over with hardstanding at the front of the site which is elevated from the main vehicular entrance off the lane. The site widens from the front to the bottom as it gently falls to the south towards agricultural fields.
5. My attention has been drawn by the appellant to another Inspector's decision¹ for a new dwelling at the adjacent plot of Delph View, from March 2013. This

¹ APP/N4720/A/12/2186832

decision describes East Carlton as a 'village'. I find no reason to disagree with this same finding.

6. The National Planning Policy Framework (the Framework) makes clear that inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. However, the Framework permits certain exceptions to allowing the construction of new buildings within the Green Belt, including limited infilling in villages.
7. Policy N33 of the Leeds Unitary Development Plan (Review 2006) (UDP) also permits the construction of new buildings in the Green Belt provided they are for very specific purposes including limited extensions to buildings, and limited infilling in villages, amongst other considerations.
8. Irrespective of whether or not the land is previously developed land, taking into account the information before me, I am satisfied that the proposal would represent limited infilling in a village, and the proposed dwelling would not be considered as inappropriate development within the Green Belt as it complies with paragraph 145 e) of the Framework. Therefore, the effect of the proposal on the openness of the Green Belt is not a consideration of this appeal.
9. As I find no conflict with the Framework in this regard, I also find no conflict with UDP Policy N33, or Policy GP5 with regard to the principle of a dwelling in this location. Nor do I find the proposal contrary to the Leeds UDP Volume 2: Appendices A5 adopted 2006, that is concerned solely with the control of development within the Green Belt.

Character and Appearance

10. There is a random order to the dwellings in East Carlton with some dwellings positioned with no particular relationship to the road, although it is apparent that a number directly front Carlton Lane and are positioned very close to it. However, of conformity is the fact that East Carlton consists mainly of traditional farm buildings with a limited number of modern dwellings interspersed.
11. The proposed development of a single house with attached garages has been designed in an 'L' shape and, according to the Design and Access Statement (DAS), designed to resemble a traditional 'Long Barn', similar to other examples in East Carlton that have been specifically identified within the DAS.
12. Where there are clusters of buildings positioned together, these are largely associated with one farmstead and consist of a variety of buildings of differing sizes, heights and scales. Otherwise, independent detached dwellings represent a more spacious setting as they, in the main, do not merge with other surrounding buildings. This pattern and layout adds to the distinctive character of the townscape of the area.
13. I have come to the view that a development here would constitute limited infilling in a village. However, the extent of the limited infilling should be balanced in a context of the existing built development. The dwelling as proposed would occupy nearly the full width of the plot and situated close to the main entrance off the access lane, at approximately 29m wide. The combination of extensive width, scale, massing and elevated position, would significantly contribute to the erosion of characteristic gaps that are a recognised and distinctive part of the locality.

14. The new adjacent dwelling of Delph View is of much more modest proportions set within a smaller plot and is proportionate to its plot's width. It currently respects the distinctive 'gap' between buildings. The proposed dwelling and relationship with Delph View would further emphasise it as a discordant feature that would be out of context in this location. It would result in a detrimentally harmful effect to the character and appearance of the area.
15. The neighbouring new build dwelling of High Fields has been cited as a comparison by the appellant. This is a detached dwelling and follows similar design characteristics to the adjacent farm buildings. It may have been erected within a piece of open land, however it harmonises with the layout of the built fabric of East Carlton, retaining a sense of spaciousness around its plot and the distinctive gaps between buildings is retained. In any event, that development was approved in outline in 1999 by the Council and pre-dates the Council's development plans. I do not consider this development justifies the proposal, one that I have considered on its own merits.
16. Although the finish of the proposal would be of natural slate, larch cladding and natural stone exterior that would provide a pallet of materials conforming with those in the area, and the reference to its layout in respect of the horizontal arrangement of former greenhouses on the site I note. Nevertheless, for the aforementioned reasons, the proposal would not respect the local character and would result in harm to the character and appearance of the area.
17. The proposal would be contrary to the Core Strategy Leeds Local Development Framework, November 2014 (CS) Policy P10 in its aims to contribute positively to place making by new development taking into account, size, scale, design and layout, amongst other considerations. It would also not meet the policy expectations of CS Policy P12 for the character of the townscape to be conserved and enhanced.
18. The proposal would further conflict with Policy GP5 of the UDP to resolve planning considerations, including design, amongst other matters, and also the advice contained within the Council's 'neighbourhoods for living' supplementary planning guidance 2003, in its aims and objectives to create development that respects and enhances its local context, together with other issues.

Accessibility

19. Core Strategy Policy T2 and its supporting Appendix 3, Accessibility Standards of the Core Strategy, broadly seeks for new development to be located in accessible locations that are adequately served by highways, by public transport with safe and secure access for pedestrians and cyclists.
20. There are no local shops, schools or health care facilities within East Carlton and the closest bus stop is approximately 0.8 miles from the site. On this basis, I acknowledge that the site has limitations in terms of its accessibility to local services and facilities. However, I consider it is not entirely inaccessible given that the bus stop is within a reasonable walking distance for an able-bodied person, although the lack of footways the entire way would not entirely meet the expectation of a safe access for pedestrians.
21. The proposal would provide enough on-site parking to meet the requirements of future occupiers, and cycle storage could be accommodated within the garages. Other than appropriate visibility splays, no concerns have been raised

by the Council's Highway's department, and I do not disagree with their findings.

22. The number of vehicular trips to and from the proposed site as a plant nursery would be likely to be less intensive compared to that of a single dwelling. I reason this would result in the benefit of less traffic through East Carlton.
23. Even so, all matters considered, I am not of the view that the proposal for one additional dwelling in this location would amount to development that would be unacceptable from an accessibility perspective, although I acknowledge that the proposal would not be wholly compliant with Policy T2 of the CS and its supporting Appendix 3.
24. As it is a single dwelling proposed, it would not be contrary to CS Policy H2 as the relevant part of the policy seeks for new housing not to exceed the capacity of transport, educational and health infrastructure. It would not conflict with CS Policy P10 in its requirements for integrated car parking and cycle parking, amongst its other criteria. Neither would it be contrary to Policy GP5 of the UDP for development to consider access, together with other considerations.

Other Matters

25. There is evidence of fly-tipping on site and anti-social behaviour is also referenced by the appellant and commented upon within a letter of support. However, there are measures to secure the site that the appellant could explore in an attempt to prevent this from occurring.
26. The use of ground source heat pumps and rainwater harvesting I recognise as positive environmental advantages as well as landscaping the site and its biodiversity contributions. As are the economic benefits of construction work and longer-term local spending, as well as Council Tax contributions. Furthermore, there would be no impacts of the proposal to the living conditions of neighbouring occupiers, and some support has been generated to the proposal. However, none of these matters would outweigh the harm I have identified or persuades me to allow the appeal.

Conclusion

27. Whilst I've found in favour of the appellant with regards to Green Belt considerations, and its accessibility to services, I do not consider this would outweigh the harm caused to the character and appearance of the locality. Therefore, the appeal is dismissed.

Alison Scott

INSPECTOR