



Appeal Decision

Site Visit made on 1 March 2021

by Chris Forrett MRTPI, DipTP, BSc(Hons)

an Inspector appointed by the Secretary of State

Decision date: 12 March 2021

Appeal Ref: APP/N4720/D/20/3263210

8 Moorland Road, Leeds LS6 1AL

- 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 Ms Gaydor Kaye against the decision of Leeds City Council.
 - The application Ref 20/0022/FU, dated 31 March 2020, was refused by notice dated 2 October 2020.
 - The development proposed is retrospective alterations to rear garden to create hardstanding for cars.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to the rear garden to create hardstanding for cars at 8 Moorland Road, Leeds LS6 1AL in accordance with the terms of the application, Ref 20/02022/FU, dated 31 March 2020 and the plans submitted with it.

Preliminary Matters

2. As noted in the application and appeal documentation, the development has already been carried out. As the timing of the proposal is not an act of development, I have removed the word retrospective from the description of the proposal.

Main Issue

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

Reasons

4. The appeal site is located in primarily a residential area and is also within the Woodhouse - Moorlands Conservation Area (WMCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving the character or appearance of the Conservation Area.
5. The Little Woodhouse Neighbourhood Design Statement (2011) (NDS) sets out that the Moorland Road terraces (for which the appeal property is part of) presents an imposing public frontage to Woodhouse Moor. However, Moorland Avenue, which is a service road for the terrace has an irregular and rather untidy appearance. The character map for the NDS also identifies that the frontage and boundary and general space on Moorland Avenue is in need of enhancement.
6. The appeal development has resulted in the creation of a concrete parking area which fronts onto Moorland Avenue. Between the parking area and the rear of

the property itself a landscaped garden area has been retained. From the Council Officers' report, the main objection to the development relates to the use of a concrete surface to the parking area.

7. As I noted from my site visit there are a number of other properties which have parking areas which front onto Moorland Avenue, several of which have a concrete surface which appear to have been present for a significant period of time. As such, one of the characteristics of Moorland Avenue is the parking areas, albeit that these are not the most attractive elements of the area as a whole.
8. To my mind, the appeal development has little impact on the character and appearance of the area despite the use of concrete in its surfacing. Whilst the use of concrete cannot be said to enhance the character of the WMCA, in my view, it preserves the appearance of the area. To that end, the proposal would accord with the heritage aims of the National Planning Policy Framework (the Framework) and the relevant Development Plan policies.
9. In coming to the above view, I acknowledge that the Council has stated that the other properties which have utilised concrete for their respective parking areas have not received planning permission. However, little evidence has been provided as to whether they needed permission in the first place or whether they are immune from enforcement action through the passage of time.
10. For the above reasons the development would not harm the character and appearance of the area, including the WMCA, and would accord with Policies P10, P11 and P12 of the Leeds Core Strategy (2014) and Policies BD6, GP5 and N19 of the Leeds Unitary Development Plan (Review 2006) which amongst other matters seek to ensure that new development respects existing landscapes together with the character and quality of the surrounding area, including preserving or enhancing the historic environment. It would also accord with the overarching aims and objectives of the Framework.

Conditions

11. Given that the development has already been carried out I consider that it is not necessary to impose any planning conditions.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR