

Appeal Decision

Site visit made on 1 June 2021 by Hannah Ellison BSc (Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 June 2021

Appeal Ref: APP/N4720/D/21/3271195

49 Colwyn Road, Beeston, Leeds LS11 6LQ

- 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 Mohammed Tanweer against the decision of Leeds City Council.
 - The application Ref 20/06034/FU, dated 18 September 2020, was refused by notice dated 11 March 2021.
 - The development proposed is a rear garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. At the time of my site visit the development was already in place. I have therefore considered the appeal on this basis.
4. The appellant has suggested that the garage constitutes permitted development. This is not a matter for me to determine in the context of a s78 appeal. It is open to the appellant to apply to have the matter determined under section 191 of the Act and any such application would be unaffected by the determination of this appeal.

Main Issue

5. The effect of the development on the character and appearance of the host dwelling and the wider area.

Reasons for the Recommendation

6. The appeal property is a two-storey semi-detached dwelling, read in context with the adjacent stretch of similar semi-detached properties which have two prominent frontages. The Tempest Road elevations of the host dwelling and the adjacent properties reads as the front of the property when viewed from this locality. The low front boundaries and lack of substantial development forward of this elevation create a strong building line and give this part of the street scene a uniform appearance.

7. The garage occupies a prominent position beyond the dwelling's Tempest Road elevation and it fills much of the space to the front of the site, projecting up to the site's boundary with the footway. Due to its positioning and substantial width and depth, it dominates the host property and fails to read as a subservient or ancillary addition.
8. Furthermore, it introduces significant built form forward of this prominent elevation and beyond the strong building line in an area typically devoid of development. The site is located on a sloped street which further exacerbates the garage's prominence when approaching the site from the south east. As such, it fails to respect the established layout of this part of the street scene and appears as an incongruous and visually intrusive feature in the locality. The proposed finish in render to match the host dwelling would not overcome these concerns.
9. Whilst the existing tree within site partly obscures views of the garage when viewed from the north west, landscaping is not permanent and is insufficient in itself to justify uncharacteristic development.
10. I acknowledge there are concerns regarding security of the appellant's motorbike, however I am not convinced that appropriate storage could not be achieved with a development of a more suitable design and siting. I also observed the existing sheds at nearby properties. I do not know whether they have planning permission and, moreover, they are significantly smaller than the appeal development and read as subservient and ancillary additions. I do not have any details of the previous shed this proposal replaces. These matters do not therefore justify the appeal development.
11. Consequently, this development harms the character and appearance of the host dwelling and the wider area. It therefore conflicts with Policy P10 of the Core Strategy, Leeds Local Plan (November 2014) saved Policies GP5 and BD6 of the Leeds Unitary Development Plan (Review 2006) and HDG1 of the Householder Design Guide, Supplementary Planning Document (April 2012) whose collective purpose is to ensure that developments respect the design, scale, form and layout of the original building and the wider locality.

Conclusion and Recommendation

12. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given above, I recommend that the appeal should be dismissed.

H Ellison

APPEAL PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree that the appeal should be dismissed.

RC Kirby

INSPECTOR