



Appeal Decision

Site visit made on 28 April 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 MAY 2022

Appeal Ref: APP/N4720/D/22/3292701

88 Vesper Road, Kirkstall, Leeds LS5 3QS

- 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 Curran against the decision of Leeds City Council.
 - The application Ref 21/06319/FU, dated 21 July 2021, was refused by notice dated 15 December 2021.
 - 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 of the proposed development on the character and appearance of the area.

Reasons

3. The appeal property is a two-storey semi-detached dwelling. It is located in a predominantly residential area on a prominent corner junction between Vesper Road and Hawkswood Place.
4. The garage is proposed to be erected in the front garden of the property which is largely surrounded by a hedge.
5. Properties on this section of Vesper Road are characterised by their set back from the footpath edge, where despite a variety of boundary treatments and landscape features, gives the area a pleasant spacious and open character.
6. The garage would notably depart from this established form with its proposed siting harmfully protruding into the pleasant spacious area that I have identified above. Although the boundary hedge, which the appellant states is 1.8m in height, would screen a great deal of the proposed building, the garage would nevertheless be visible above it and where gaps exist in the hedge. I observed that, although fairly dense, the hedge is by no means an impervious screen and the garage would be partially visible through it. Additionally, although the hedge is well established, and the appellant does not intend to remove it, I cannot be certain that it would remain in place for the lifetime of the proposed development.
7. Additional planting may provide further screening; however, this would not depart from the fact that the development would represent a significant and

harmful incursion into the frontage of the area that is largely devoid of structures. Such planting would also take time to become established.

8. I note that the garage has been reduced in size from a garage that was dismissed at appeal¹. Whilst the reduction in size has had the obvious implication of reducing the visual impact, I do not consider that this has removed all the visual harm. It has not removed the overall harm to the spacious character of the area that placing such a large structure in the area would cause. I have, in any event, determined the appeal on its own individual planning merits.
9. The proposed development would therefore cause significant harm to the character and appearance of the area. It would be contrary to Policy P10 of the Leeds Core Strategy (2014 Amended 2019) and saved Policy GP5 of the Leeds Unitary Development Plan (2006). These policies seek, amongst other things, to promote good design and ensure the size, scale, design, and layout of development is appropriate to its context and respects the character and quality of the streets and spaces that make up the public realm and the wider locality.
10. The proposed development would also be contrary to guidance contained in Policy HDG1 of the Leeds Householder Design Guide (HDG) Supplementary Planning Document (2012). The guidance outlines that extensions or alterations which harm the character and appearance of the main dwelling, or the locality will be resisted. Specifically in relation to garages the HDG also outlines that they should be sited to the side or rear of the dwelling and that garages which project forward of the main front wall or are in highly prominent locations (such as side gardens on corner plots) may not be acceptable.
11. The proposed development would also be contrary to the National Planning Policy Framework (the Framework) (2021) which outlines that development should be visually attractive and that development that is not well designed should be refused.

Other Matters

12. The appellant has referred to garages located to the front of properties elsewhere on Vesper Road. I observed on my site visit that these are some distance from the appeal site and in a different context to that of the appeal site. Also, as the appellant states, it is not clear whether these garages benefit from planning permission. Some of the examples also serve to demonstrate the harm that can be caused by inappropriately sited outbuildings. Collectively, these factors result in limited weight being given to these other garages.
13. I acknowledge that the proposed development would bring some benefits in terms of providing the appellant with a secure off-street parking space. Although there is no substantive evidence of a crime or parking problem in the area, these benefits are of limited weight in the balance and do not outweigh the harm I have identified would be caused to the character and appearance of the area.
14. The fact that extensions to the property have prevented a garage being erected to the side of the property would not provide sufficient justification to allow the appeal in light of the harm I have identified. I do not agree with the appellant

¹ APP/N4720/D/21/3266695

that were a garage to be installed at the side of the property, it would have a comparable impact to the current proposal, that is in a highly prominent part of the site and the street-scene.

Conclusion

15. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
16. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR