
Appeal Decision

Site visit made on 1 August 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th August 2022

Appeal Ref: APP/N4720/D/22/3299284

3 Purbeck Grove, Garforth, Leeds LS25 1HP

- 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 Angela Parry against the decision of Leeds City Council.
 - The application Ref 21/08464/FU, dated 8 October 2021, was refused by notice dated 6 April 2022.
 - The development proposed is a boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the proposal has changed from the application form to the decision notice. That on the application form adequately describes the proposal and my consideration has been made on this basis.
3. The boundary wall was in place at the site at the time of my visit. This appeared to broadly accord with the plan before me, but for the avoidance of doubt my consideration has been made on the basis of the plan.

Main Issues

4. The main issues are the effect of the boundary wall on the character and appearance of the area and its effect on highway safety.

Reasons

Character and appearance

5. The host property occupies a corner position on Purbeck Grove. The immediate area has a quiet and residential character. Publicly visible boundary treatment to properties on Purbeck Grove generally consists of low walls, occasionally supplemented by planting, affording the street an open plan and green appearance.
6. The corner properties, such as that immediately to the north of the appeal site and those at the entrance to Purbeck Grove from Derwent Avenue all utilise hedging of varying height, presumably to afford what would be exposed garden areas a degree of privacy.

7. The wall and fence combination that has been provided at the site is extensive, spanning along the street facing boundaries of the site resulting in it being prominent within the street scene.
8. It bucks the established trend within the immediate area for hedges on corner plots, and despite being slightly set back from the footway it forms a stark and dominating hard edge to the boundary which is out of keeping with and harmful to the character and appearance of the area.
9. The proposal therefore conflicts with policies P10 and P12 of the Core Strategy – Selective Review (2019) (CS) and Policy GP5 of the Leeds Unitary Development Plan (2006) (UDP) which amongst other things require well designed proposals which respect the character and quality of streets whilst protecting the character and townscapes of Leeds.
10. There would also be conflict with HDG1 within the Householder Design Guide¹ which states that amongst other things all additions should respect the character and appearance of the locality.
11. I do not find Policy BD6 of the UDP directly relevant to the boundary wall as it appears to relate to the alteration and extension of buildings.

Highway safety

12. Whilst I appreciate there is a wide grass verge on the corner of Purbeck Grove adjacent to the property, the fence is of a height and solid form such that it would restrict the ability of a driver exiting the property from the driveway to see across the footway.
13. There would also be some northward restriction of visibility for any driver exiting No.5 Purbeck Grove which is the neighbouring property to the south to cross the footway.
14. These issues increase the risk of conflict between different users of the highway. The proposal would therefore conflict with Policy GP5 of the UDP which requires that proposals maximise highway safety. The proposal would also conflict with the Street Design Guide². Amongst other things this advises that 2mx2m pedestrian sightlines should be provided where the drive meets the back of the footway on local residential streets.
15. I do not find Policy T2 of the Core Strategy – Selective Review (2019) directly applicable to this case as this seems more concerned with the locational requirements of new development. I have not found direct conflict with the Parking SPD³.

Other Matters

16. The appellant indicates that they have taken pre application advice from the Council. I cannot afford significant weight to what is indicated to have been verbal pre application advice and it could be that concerns over this matter would be best pursued through the Council's own complaints procedure.

¹ Leeds City Council Householder Design Guide Leeds Local Development Framework SPD 2012.

² Leeds City Council Street Design Guide Leeds Local Development Framework SPD Main Report 2009.

³ Leeds City Council Parking Supplementary Planning Document 2016.

17. I have noted that there are hedges in the immediate area that are equal to or exceed the height of the boundary wall before me. However, there is nothing to indicate that these cause the same level of harm identified in relation to the proposal before me which has been assessed on a site-specific basis. I cannot therefore afford this matter significant weight.
18. There is no detail supplied as to the location of other walls or fences in support of the appeal. I therefore afford this matter limited weight.

Conclusion

19. The proposal would conflict with the development plan and there are no other considerations which outweigh this finding. Therefore, the appeal should be dismissed.

T J Burnham

INSPECTOR