
Appeal Decision

Site visit made on 4 October 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2022

Appeal Ref: APP/N4720/D/22/3304298

10 Lanshaw Road, Belle Isle, Leeds LS10 3NZ

- 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 Cristina Dumitrescu against the decision of Leeds City Council.
 - The application Ref 22/01974/FU, dated 16 March 2022, was refused by notice dated 8 July 2022.
 - The development proposed is a front fence wall.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit the proposal was partially complete. A light coloured rendered low wall with tall piers and a separate gate pier was in place at the boundary with the highway, and this returns along the boundary with 12 Lanshaw Road. This was largely as shown on the plans, but without the gates or timber panels. Partial completion of the development is consistent with details given in the planning application form.

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 on a quiet street in a mature residential estate which comprises mainly semi-detached houses. In common with nearby houses, the appeal property is set back from the highway leaving a short front garden which is now hard surfaced. I saw that there is some variety in front garden boundary treatments in the wider area, including those examples cited by the appellant. In most cases those boundary features are substantially lower than the appeal scheme and, in the immediate vicinity of the appeal site, boundaries to the back edge of the highway and between houses are predominantly defined by established and well-maintained privet hedging. This includes those houses either side of, and immediately opposite the appeal property.
5. The pleasant soft green vegetation to garden boundaries makes a significant contribution to the quality of the local environment and is a defining characteristic feature in the area. The front boundary wall currently in place at the appeal property jars markedly when seen in context with those other

established hedges. The introduction of gates and the fence panels between the piers, as proposed, would serve to emphasise the height and visual prominence within the street of an uncharacteristic tall, hard and solid structure. It would be noticeably different to, and less attractive than, the existing lower means of enclosure and the locally predominant hedging. In these respects, the development would be at odds with guidance set out in the Leeds City Council Householder Design Guide Supplementary Planning Document (April 2012) ('the SPD') which notes the contribution boundary treatments make in defining the character of an area. The SPD specifically guards against the introduction of large solid structures to the fronts of houses.

6. The development would appear out of place by virtue of its height, prominent position, and solid nature thereby causing harm to the character and appearance of the area. Accordingly, the development would conflict with Policy P10 of the Leeds Local Plan Core Strategy (as amended by the Core Strategy Selective Review 2019), and Policies GP5 and N25 of the Leeds Unitary Development Plan (Review 2006) which seek to prevent environmental intrusion and require development to respect the character and quality of the area in which it is located. The development would also conflict with the SPD guidance noted above, and Policy HDG1 of the SPD which, in requiring particular attention to be given to boundary treatments amongst other things, seeks to resist alterations which would harm the character and appearance of the locality. Conflict would also arise with the National Planning Policy Framework which seeks the same outcomes from development.

Other Matters

7. The development may provide greater security to the property. However, this private benefit, and the general support for the development from some neighbours, along with the lack of any relevant local heritage designations, the presence of large areas of grassed open space nearby, and the unaltered nature of the majority of houses in the area do not, individually or collectively, weigh in favour of the development to any significant degree.
8. I have noted the presence of other solid boundary treatments in the locality, and the information before me suggests that many may not benefit from planning permission. However, the continued presence of these features, and any failure to take enforcement action, does not equate to a lack of harm being caused to the character and appearance of the area, and does not justify the further harm that would arise from the development. The matters raised by the appellant and the representations from neighbours do not mitigate the harm I have identified.

Conclusion

9. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

David English

INSPECTOR