
Appeal Decision

Site visit made on 28 December 2022

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 December 2022

Appeal Ref: APP/N4720/D/22/3310193
5 Acre Road, Middleton, Leeds LS10 4LF

- 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 Jason Walls against the decision of Leeds City Council.
 - The application Ref 22/04296/FU, dated 20 June 2022, was refused by notice dated 5 September 2022.
 - The development proposed is described as a detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is semi-detached and is positioned within a prominent corner plot location at the junction of Acre Road with Sissons Road. This part of the residential environment is characterised by brick built semi-detached dwellings with hipped roofs set well back from roads and within spacious plots. The pattern of development within the corner plots in the immediate locality is characterised by distinctive triangular shaped side gardens and where there is an absence of buildings thereby further emphasising the openness that exists around and between buildings. There is a pleasing consistency to the pattern of development and appearance of properties in the vicinity of the appeal site. This includes the building line. These attributes add positively and distinctively to the character and appearance of the area.
4. The proposed garage with utility room would be positioned forward of the building line of the host property. When seen from Acre Road in particular, and owing to its scale, height and position, the development would appear dominant and out of place in the street-scene unacceptably detracting from the consistent pattern of development that exists within the immediate area and the sense of openness that prevails between and around dwellings.
5. The appellant has referred me to other development in front/side gardens in the wider area including 9 Acre Road. The evidence is that planning permission was not sought or approved for this development but has nonetheless been in situ for more than four years. It is not identical to the appeal proposal in so far that it has a flat roof and is constructed from different materials. While I accept

that this development does exist, it does not alter my view about the harm that would be caused to the pattern of development at the junction of Acre Road and Sissons Road if this appeal were to be allowed.

6. The appellant has also referred to examples of similar development at 40 Middleton Park and 59 Sissons Road. These developments are not identical to the appeal proposal and, furthermore, are not seen within the same context as the appeal site. They do not in themselves justify allowing harmful and poorly designed development.
7. I conclude that the proposal would have a significantly detrimental impact on the character and appearance of the area. It would not therefore accord with the design, character and appearance requirements of policies P10 of the Leeds Core Strategy 2019, saved policies GP5 and BD6 of the Leeds Unitary Development Plan 2006, policy HDG1 of the Householder Design Guide SPG 2012, and Chapter 12 of the Framework.

Conclusion

8. For the reasons given above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

D Hartley

INSPECTOR