



Appeal Decision

Site visit made on 20 June 2023

by A Caines BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 June 2023

Appeal Ref: APP/N4720/D/23/3319563

1 Creskeld Garth, Bramhope, Leeds LS16 9EW

- 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 Henry Hardaker against the decision of Leeds City Council.
 - The application Ref 22/07693/FU, dated 15 November 2022, was refused by notice dated 10 January 2023.
 - The development proposed is sliding entrance gates to existing driveway.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposed gates were in place at the time of my site visit, and it is clear that the application was made retrospectively. I have determined the appeal on that basis.

Main Issue

3. The main issue in this appeal is whether the development preserves or enhances the character or appearance of the Bramhope Conservation Area.

Reasons

4. The appeal site lies within the Bramhope Conservation Area (the BCA). In so far as it is relevant to this appeal, the BCA draws some of its special interest and significance from its high-quality Arts and Crafts style housing from the 1930s. The majority of these houses, including the appeal site, sit within spacious gardens behind low stone boundary walls, supplemented by established garden planting. With only a few exceptions, driveways remain without gates and open. The Bramhope Conservation Area Appraisal and Management Plan 2011 (BCAAMP) states that the boundary treatments are important features in establishing an informal character in the BCA, and that all boundary treatments should be sympathetic with those in existence and which add character to the area.
5. The gates subject to this appeal are located at the driveway entrance on Creskeld Drive. They are of a solid timber design, rising to about 1.8 metres in height. I don't disagree that the gates are built to a high standard. Nonetheless, through their height, siting, and solid design, they do not reflect the character of the existing boundary treatments and open driveways along this part of Creskeld Drive. As a result, they stand out as noticeably different and incongruous in their setting, and do not add positively to the informal character of the BCA.

6. The appellant has provided photographs of other similar gates in the area, some of which have been approved by the Council. However, these are all in different streets, such that they have very limited influence on the appeal site. They are also firmly in the minority, and just like the appeal scheme, demonstrate to me the negative effects that can be caused by inappropriate boundary treatments within the BCA. As such, their presence is not a good reason to allow harmful development at the appeal site.
7. Overall, the development has an adverse visual effect on the surrounding area, and consequently causes harm to the significance of the BCA. The magnitude of this harm is modest and can therefore be classed as less than substantial in the terms of the National Planning Policy Framework (the Framework). Nevertheless, in the context of the BCA as a whole, it does not preserve or enhance its character and appearance. This is a matter of considerable importance and weight. Given the nature and scale of the development, there are no wider public benefits which outweigh the harm to the significance of the BCA.
8. Accordingly, I conclude that the development has not preserved the character and appearance of the BCA. Thus, it fails to satisfy the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, and parts 12 and 16 of the Framework with regards to achieving good design and conserving and enhancing the historic environment.
9. There is also conflict with the objectives of the BCAAMP, as well as the design and heritage requirements of Policies P10, P11 and P12 of the Leeds City Council Core Strategy (amended 2019); saved Policies N25 and GP5 of the Leeds City Council Unitary Development Plan (Review 2006); and policy HDG1 of the Council's Householder Design Guide Supplementary Planning Document (2012). Amongst other things, these policies and guidance require new development, including boundary treatment, to be appropriate to its context, sensitive to the historic environment, and with the intention of contributing positively to the area.

Conclusion

10. For the reasons given, I conclude that the proposal fails to accord with the relevant policies of the development plan and the Framework. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR