The Planning Inspectorate

Appeal Decision

Site visit made on 3 May 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2023

Appeal Ref: APP/N4720/D/23/3315538
31 Broomfield, Adel, Leeds, LS16 6AE

- 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 Nicky Morjaria against the decision of Leeds City Council.
- The application Ref 22/04951/FU, dated 15 July 2022, was refused by notice dated 8 November 2022.
- The development proposed is electric gates at the end of the drive.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The electric gates have been erected and the application made retrospectively. I have dealt with the appeal on that basis.

Main Issue

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

Reasons

4. The appeal property is a detached dwelling, set back from the highway in a residential area characterised by a mix of housing types and designs. The tree lined street and grass verges give a spacious and verdant character to the area. It lies within an area known as the Cookridge Garden Estate as described in the Adel Neighbourhood Design Statement (2006) (ANDS).

5. There are a variety of boundary treatments in the area, although the majority of dwellings have low walls or hedges with open driveways. Where gates have been installed, in the vicinity of the appeal site, most are open metal gates which maintain the open character of the area.

6. The solid design and height of the gate have created a prominent and intrusive feature in the streetscene which is out of keeping with local character, distinctiveness and the sense of place due in part to the materials used. Whilst the harm caused is localised, this does not provide justification for harmful development.

7. Examples of solid gates in the local area have been brought to my attention and I saw these on the site visit. However, the design and materials of the examples at the corner of Broomfield and No 17 Farrar Lane, at No 75 Broomfield, on the corner of Broomfield and the Crescent, and at No 16 The

Crescent differ from the appeal development as they appear to be wooden gates and not of a consistent height. The other examples quoted are of a more comparable design and materials, however as acknowledged by the appellant these do not appear to have been granted planning permission. Planning permission has been sought in this case and I have assessed the proposal accordingly. The presence of these gates does not provide justification for harmful development. It is noteworthy that the description of the Cookridge Garden Estate within the ANDS highlights that high gates on street frontages detract from the character of the estate.

8. I acknowledge the personal circumstances of the appellant and the desire to provide security for the property. However, I am unconvinced that a similar benefit could not be achieved by a different boundary treatment which would not harm the character and appearance of the area. Accordingly, this does not justify the proposal.

9. For the above reasons, I conclude that the appeal proposal harms the character and appearance of the area and conflicts with Policy P10 of the Leeds City Council Core Strategy (2019) and Policies BD6, GP5 and N25 of the Leeds Unitary Development Plan Review (2006) which together, amongst other matters, seek to ensure that development is appropriate to its context and respects the character and quality of the surrounding area. It would also conflict with Policy HDG1 of Householder Design Guide Supplementary Planning Document (2012) which states that additions should respect the character and appearance of the locality particularly boundary treatments and materials. It would also be at odds with the overarching design aims of the National Planning Policy Framework.

Conclusion

10. The proposed development conflicts with the development plan as a whole and there are no other considerations, that outweigh this conflict. I therefore conclude that the appeal should be dismissed.

H Senior

INSPECTOR