



Appeal Decision

Site visit made on 22 August 2023 by Tom Bennett BA (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2023

Appeal Ref: APP/N4720/D/23/3324518

24 Landseer Avenue, West Ardsley, Wakefield WF3 1UE

- 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 Faiz Mohammed against the decision of Leeds City Council.
 - The application Ref 22/06266/FU, dated 13 September 2022, was refused by notice dated 26 April 2023.
- The development proposed is described as a 'retrospective application for a garden wall'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The name of the applicant on the application form is incomplete and should read as set out above. Consent has been received from the named applicant for the appeal to proceed in their name. I was also able to confirm on my site visit that the development subject of the appeal has been carried out. I have proceeded on this basis.

Main Issue

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

Reasons for the Recommendation

5. Landseer Avenue is a residential cul-de-sac characterised by low boundary walls, low hedging or open front gardens all of which contribute positively to a pleasant open character. Given the height and length of the brick wall, it appears stark and incongruous, leading to a much stronger sense of enclosure which, as a result, has unacceptably eroded the quality of the areas openness. The location of the wall at the turning head of the cul-de-sac amplifies its prominence in wider views, particularly when approaching Lowry Road from the end of the cul-de-sac.
6. Taller boundary walls and fencing are a consistent feature within the Lowry Road street scene. However, Lowry Road is a wide main road from which Landseer Avenue, along with several other residential cul-de-sacs are accessed. Where the taller boundary treatments are present, properties have

no active street frontage giving rise to a visual distinction between Lowry Road and Landseer Avenue. As such the examples submitted by the appellant are not directly comparable to the appeal site and would not justify the appeal scheme.

7. The boundary wall, for the reason set out, harms the character and appearance of the area and therefore conflicts with Policy P10 of the Leeds Core Strategy (as amended 2019) and saved Policy N25 of the Leeds Unitary Development Plan (2006) which collectively seek to ensure development and boundaries respect the character of the area. I have also had regard to the 'Householder Design Guide' Supplementary Planning Document (SPD) which also seeks to ensure proposals respect local character.

Conclusion and Recommendation

8. The appeal scheme conflicts with the development plan and there are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

Tom Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

9. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

John Morrison

INSPECTOR