



Appeal Decision

Site visit made on 9 April 2024

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 April 2024

Appeal Ref: APP/N4720/D/24/3337931

132 Blue Hill Lane, Wortley, Leeds LS12 4NY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Carpenter against the decision of Leeds City Council.
 - The application Ref is 23/05235/FU.
 - The development proposed is single storey front extension; new gate to front; retrospective application for boundary fence.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The fence is in situ however it has not been completed along its full front boundary as proposed in the scheme before me. As such, I am dealing with the appeal in part retrospectively.

Main Issue

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

Reasons

4. The appeal property is a two-storey semi-detached dwelling located on the corner with Blue Hill Lane and Cliffe Park Crescent within a predominantly residential area.
5. The property forms part of a short row of similar semi-detached properties between the appeal premises and No 142 Blue Hill Lane. These properties are characterised by, amongst other things, single storey projections to the front that have a horizontal emphasis due to their narrow depth, width and modest height and maintain a similar building line. The area is characterised by a mixture of predominantly low boundary treatments and planting along the boundaries of properties to the footways. This results in a pleasant environment with open views to properties.
6. The fence, subject of this appeal, wraps around the corner of Cliffe Park Crescent and Blue Hill Lane by a considerable length. Due to its length, height and solid massing, it appears as a strikingly stark feature adjacent to the footway creating a hard edge. This would be exacerbated by the proposal to continue this hard edge along the front boundary with the fence and gates.
7. The proposed boundary materials would be compatible with other boundary treatments in the area and the timber will weather over time. Nonetheless, the

- combination of its considerable length and height mean it would still appear as an unduly dominant solid feature that would be at odds with the predominantly varied and lower boundaries and open qualities along the footways.
8. The proposed extension would project out by 2.4m, which relative to the distinctive narrowness of the existing front feature, would appear an unduly bulky addition to the front. This would not harmonise with the horizontal emphasis and building line associated with this row of properties from the narrow projections along the frontages.
 9. The proposed front boundary treatment would obscure much of the proposed extension from public views. However, the boundary treatment would also be harmful, and this does not therefore weigh in favour of the scheme.
 10. My attention has been drawn to tall fences in the wider area that are adjacent to footways. However, I have no firm details regarding the locations of these other fences and the circumstances resulting in their erection. Where there were taller boundaries along the footway near the appeal site, they did not share the same characteristics as the appeal scheme in respect of its considerable length wrapping around the side and front. As such, their presence in an area characterised by varied boundary treatments does not justify the harm in this instance.
 11. My attention has also been drawn to the extension at No 142 Blue Hill Lane. However, I have no firm details regarding the circumstances that resulted in that extension. Moreover, the two extensions would not be a 'mirror image' and in this regard the differences, to the front of the dwellings would exacerbate the harm to the appearance of this row of properties.
 12. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the surrounding area. As such, I find conflict with the requirements of Policy P10 of the Council's Core Strategy, Policies BD6, GP5 and N25 of its Unitary Development Plan, the guidance in its Householder Design Guide and the provisions of the National Planning Policy Framework, when taken together and in so far as they relate to these matters. These say, amongst other things, that new development for buildings and spaces, and alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function.
 13. The fence and gates would improve security at the host property. However, personal circumstances will seldom outweigh more general planning concerns. As such, although the proposed development would benefit the appellant's living conditions, I afford these benefits limited weight. Given my concerns regarding the scale and form of the proposed extension and height, length, and solid massing of the fence, any discrepancies between the proposed elevation and floor plans, are not determinative matters in the appeal.
 14. For the reasons given above, the proposed development would conflict with the development plan and there are no material considerations that would outweigh this conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR