



Appeal Decision

Site visit made on 24 July 2024 by T Morris BA (Hons) MSc

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 August 2024

Appeal Ref: APP/N4720/D/24/3345799

31 Broomfield, Adel, Leeds LS16 6AE

- 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 Nicky and Raj Morjaria against the decision of Leeds City Council.
 - The application Ref is 24/00883/FU.
 - The development proposed is described as 'Retrospective application for electric gates at the entrance to the drive. Revised gate design proposals included'.
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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 Matter

3. Gates have already been erected on the appeal site and I am aware that these were subject of a previously dismissed appeal¹. I have dealt with the appeal on the basis that planning permission is sought retrospectively for gates, albeit the appeal proposal includes a revision to the design of these gates to include louvred top sections.

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. The appeal site is located on Broomfield, a suburban residential street within an area known as the Cookridge Garden Estate as identified in the Adel Neighbourhood Design Statement (ANDS) (2006). The property is detached and setback from the highway. It features a hedge and the electric gates that are subject of this appeal to the front boundary. The street scene features a variety of housing styles, as well as trees and grass verges. The properties within the estate, including along Broomfield, generally feature open driveways and front boundaries more often include low brick walls, wooden fences, and hedges. The ANDS highlights that high gates on street frontages alter the character of the estate. Where tall gates have been installed, these are typically lightweight metal railings. Overall, these factors contribute to a

¹ Appeal Ref. APP/N4720/D/23/3315538

prevailing spacious and verdant character and a high-quality residential environment.

6. The proposed louvred sections would provide some limited views through the gates into the site. Even so, the substantial height and width of the gates and the overall solid to void ratio, taking into account the solid parts of the louvred sections, the steel gateposts and the lower sections of boarding would have an overriding bulky and enclosed appearance. The anthracite grey finish would further emphasise the contrast of the development with the prevailing verdant and spacious characteristics of the area. As a result, the gates would be an incongruous feature which would unacceptably detract from the quality of the Broomfield street scene.
7. I have had regard to the examples provided of gates in the area, albeit it is unclear whether all of these benefit from planning permission. Of the examples provided, the nearest appear to be the green gates at the top of Broomfield, close to the junction with Farrar Lane. However, these are different as they are of a more traditional wooden style and have a more discreet presence set between a substantial hedge line. They also appear to serve the rear of a property fronting Farrar Lane, rather than being a main entrance to the frontage of a property on Broomfield.
8. I saw the gates at No 40A Whinfield on my site visit which from the evidence provided benefit from planning permission. I am unaware of the material circumstances in that particular case. However, those gates are on a different street and are some distance away from the appeal site. Moreover, while I accept that they have similarities to the appeal proposal, they and the other examples of gates provided do not positively reflect the prevailing spacious and verdant characteristics of the estate. In terms of the immediate surroundings of the appeal site on Broomfield, the defining characteristics of the area are largely intact and are integral to the street's high-quality residential environment. The gates subject of this appeal would significantly detract from the appearance of the site and its immediate surroundings on Broomfield. As such, the examples provided do not overcome my concerns.
9. I conclude, even taking into account the revisions proposed to the gates, the development would have a harmful effect on the character and appearance of the area. In that regard, it would conflict with Policy P10 of the Leeds City Council Core Strategy (2019) and Policies GP5 and N25 of the Leeds Unitary Development Plan (Review 2006) (UDP), which collectively seek good design and development that is appropriate to its context and which respects the character and quality of the surrounding area.
10. For the same reasons, the development would also conflict with the National Planning Policy Framework which amongst other things seeks good design and that developments are sympathetic to local character. The proposal would also conflict with Policy HDG1 of the Leeds City Council Householder Design Guide Supplementary Planning Document (2012) which states that alterations should respect the character and appearance of the locality.
11. The Council's decision notice also refers to Policy BD6 of the UDP. That particular policy relates to alterations and extensions to a building. Therefore, while I have not identified specific conflict with this policy, this does not override the conflict with the other identified policies of the development plan.

Other Matters

12. The personal circumstances of the appellant are acknowledged, in terms of their desire to increase security at the property. Matters of anti-social behaviour and designing out crime are capable of being a material planning consideration. However, other than anecdotal evidence of crime in the area, there is nothing to suggest the appeal site is particularly vulnerable to crime. Moreover, there is nothing to suggest that similar security benefits could not be achieved either through lower gates, which as suggested by the appellant could be provided under permitted development rights, or gates of a design which is less harmful to the street scene. The appellant's desire to secure the site through the appeal proposal does not therefore justify the harm that would result to the character and appearance of the area.

Conclusion and Recommendation

13. The development would have a harmful effect on the character and appearance of the area. As such, I recommend that the appeal should be dismissed since it would be contrary to the development plan.

T Morris

APPEAL PLANNING OFFICER

Inspector's Decision

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

M Russell

INSPECTOR