



Appeal Decision

Site visit made on 29 October 2025 by A Morrison MTCP MRTPI

Decision by R Gee BA (Hons) Dip TP PGCert UD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 January 2026

Appeal Ref: APP/N4720/D/25/3372909

4 Aberford Road, Oulton, Leeds LS26 8JR

- 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 George and Gina Jeffery against the decision of Leeds City Council.
 - The application Ref is 25/02665/FU.
 - The development proposed is described as a detached double garage outbuilding with 'granny annexe' residential accommodation in loft space above.
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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.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling, adjoining 8 Aberford Road and the area, including the Oulton Conservation Area and protected trees.

Reasons for the Recommendation

4. The appeal site is located within Oulton Conservation Area (the CA). The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
5. The appeal property is a semi-detached dwelling positioned towards the rear of its plot at the junction of Aberford Road and Leeds Road. Alongside neighbouring No 8, the paired cottages exhibit a modest appearance by virtue of their vernacular design, restrained proportions and deep set back from the highway behind a spacious front garden and parking area surrounded by a frontage hedge and pockets of mature trees.
6. Located between Oulton Park to the west and the historic village centre of Oulton to the north, the site lies within a part of the CA identified within the Oulton Conservation Area Appraisal and Management Plan (OCAAMP) as a gateway area that provides a distinctive sense of arrival and place. The OCAAMP expresses that Oulton is a green village and that mature trees, hedges and gardens are important elements of its special character. It also identifies vernacular dwellings, including

the appeal property, as positive elements of the CA's built environment. With this in mind, in as far as relates to this appeal, the significance of this part of the CA derives from the comfortable set back of buildings at the southern end of Aberford Road, which together with their situation amongst extensive, well-established tree cover, positively contributes to the area's sense of spaciousness and associated verdant, semi-rural character.

7. The proposed garage and annexe would be constructed directly behind the existing hedge fronting Leeds Road and would occupy a substantial overall footprint, including spanning most of the plot's width. Notwithstanding the building's single storey eaves level and moderate ridge height, by virtue of its forward positioning in combination with its considerable massing and bulk, it would fail to demonstrate a subordinate spatial relationship to the host dwelling. Furthermore, owing to a design which incorporates dormer windows, composite slates and wide-span garage doors, the proposal would relate unsympathetically to the traditional architectural style and materials of the existing dwellings with which it would be viewed.
8. Although existing neighbouring trees and the site's frontage hedge would provide a degree of screening from public views, I observed that the proposal would nevertheless be plainly visible from Leeds Road, in particular when approaching from the south. Due to its significant scale, roadside siting and the limitations of this screening, the building would be starkly incompatible with the prevailing pattern of development and valued sense of spaciousness at this gateway location on the edge of the CA. By infilling across this prominent space within the streetscene, the development would also serve to partially obscure views of the cottages from the highway, thereby diminishing the ability to appreciate their positive contribution to the area.
9. I acknowledge that several buildings to the north of the appeal site sit close to Leeds Road. However, their separation distance from the proposal is such that they are not perceived as part of the same visual setting, nor do they share its edge of village semi-rural context. Consequently, these developments do not provide a persuasive rationale for the garage and annexe, which through its standalone siting, would introduce an unduly assertive and discordant feature within the locality.
10. I am aware that part of the appeal site falls within a Tree Preservation Order which also extends across neighbouring land to the north beyond a boundary fence, although no specific details of this Order have been provided. During my site visit, I noted there are no trees within this part of the appeal property, but that numerous large trees stand nearby within this adjoining land, in relative proximity to the proposed building. Owing to their size and public visibility, these trees positively contribute to the leafy character and appearance of the CA.
11. The Council's second reason for refusal relates to the lack of supporting information in respect of how the proposal may affect surrounding trees and hedges. In response, the appellant contends that the building would comply with the Council's Guidelines Distances from Development to Trees guidance document. However, no analysis based upon an up-to-date survey has been put forward to substantiate this claim. Furthermore, the brief Arboricultural Report from October 2019, prepared solely with reference to an enforcement enquiry, does not constitute an adequate assessment of the current proposal. Therefore, in light of

the limited and outdated information available, including the absence of any proposed protection measures during construction, I cannot be confident that surrounding trees and hedges would be protected from harm.

12. Overall, the appeal scheme would fail to respect the design, scale and setting of the existing cottages and the spacious pattern of development which defines the site's context. Additionally, it has not been satisfactorily demonstrated that adjacent protected trees would be safeguarded from adverse effects as arising from the new building.
13. The National Planning Policy Framework (the Framework) requires that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Taking into account its scale and localised effect in the context of the CA as a whole, I find the harm that would arise from the proposal would be at the lower end of less than substantial having regard to the Framework, but nevertheless of considerable importance and weight in the planning balance of the appeal. Paragraph 215 of the Framework sets out that less than substantial harm should be weighed against the public benefits of the development.
14. The appellant explains that the annexe would provide flexible accommodation for the family, potentially accommodating elderly parents who may soon require support. Whilst this represents a private benefit for the household only, any wider public benefits as arising from short-term economic activity generated during construction would be only very limited. Consequently, these considerations do not outweigh the less than substantial harm to the significance of the designated heritage asset I have identified, and the great weight I must apply to its conservation in accordance with the Framework.
15. For the reasons as set out, the proposed development would have a harmful effect on the character and appearance of the host dwelling, adjoining 8 Aberford Road and the area, including the Oulton Conservation Area. It would therefore conflict with Policies GP5 and N19 of Leeds Unitary Development Plan Review 2006, Policies P10 and P11 of the Leeds Local Plan Core Strategy 2014 (as amended 2019) and Policy DBE1 of the Oulton and Woodlesford Neighbourhood Development Plan 2021-2033. Taken together, amongst other things, these policies seek that new buildings should be of a good quality design that are appropriate to their context including that their scale and siting is in harmony with their surroundings, and that development should preserve or enhance the character and appearance of conservation areas.
16. The evidence before me also fails to demonstrate that the proposed development would not harm adjacent protected trees which positively contribute to the character and appearance of Oulton Conservation Area. By virtue of a failure to establish that these trees would be safeguarded, the proposal would conflict with Policies GP5 and LD1 of Leeds Unitary Development Plan Review 2006, Policy P12 of the Leeds Local Plan Core Strategy 2014 (as amended 2019) and Policy DBE1 of the Oulton and Woodlesford Neighbourhood Development Plan 2021-2033, which together seek for development to conserve trees which contribute to the distinctiveness and significance of Leeds' townscapes and landscapes, including the character and appearance of conservation areas.

Other Matters

17. The appeal site's previous use as a compound in connection with the development of a neighbouring house is noted. This was however a temporary and now historical use, and though I observed that the land is not being actively maintained as a domestic garden, I have no evidence to suggest that it has any other lawful use than as part of the appeal dwelling's domestic curtilage.
18. I acknowledge the appellant's frustration with the Council's approach in regard to its handling of the application. Nevertheless, I must consider the appeal based on its merits and in accordance with the area's development plan and the Framework.

Conclusion and Recommendation

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal is dismissed.

A Morrison

APPEAL PLANNING OFFICER

Inspector's Decision

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

R Gee

INSPECTOR