
Appeal Decision

Site visit made on 14 March 2017

by Andrew Owen BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 27 March 2017

Appeal Ref: APP/N4720/D/17/3167836

Station House, 1 Station Lane, Woodlesford, Leeds LS26 8RA

- 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 John Blakeley against the decision of Leeds City Council.
 - The application Ref 16/05903/FU, dated 21 September 2016, was refused by notice dated 2 December 2016.
 - The development proposed is creation of parking bay, small retaining wall and felling of existing tree.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the Woodlesford Conservation Area (WCA) including the effect on the sycamore tree, and the effect on highway safety.

Reasons

Character and appearance

3. The WCA incorporates much of the historic built up area of Woodlesford and the appeal site is just within its boundary. The significance of the WCA in this vicinity is provided by the tall mature trees within the site and on the opposite side of Station Lane and by the exposed rock faces along Station Lane, which combine to create a verdant and enclosed character. Also the immediate area acts as a gateway to the WCA for passengers disembarking at Woodlesford train station.
 4. The proposal would involve the excavation of some of the exposed rock close to a sycamore tree to create a level parking bay. The Arboricultural Impact Assessment submitted with the original application assessed the sycamore tree as being category B, having potential to grow significantly in size and having a remaining life of 30 years. The Assessment also considered that the removal of the rock to facilitate the development would destabilise the tree and therefore the tree should be removed as part of the development. I note the appellant states the rock is naturally eroding, and that proposed works to nearby water pipes may affect the tree, notwithstanding the proposed development. However I have no evidence before me to demonstrate that these factors would necessarily or significantly reduce the life of the tree to less than that as advised by the Arboriculturalist.
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5. The tree is not particularly visible from the south east, but from the station the tree appears prominently and is the first tree seen on the embankment of trees alongside Station Lane within the appeal site. Though there are other trees behind it and on the other side of Station Lane, the verdant characteristic of the area would be demonstrably reduced by the loss of this tree. The appellant's offer to provide a replacement tree elsewhere on site would be unlikely to provide a similar contribution to the character and appearance of the WCA as the sycamore.
6. As such the loss of the tree would harm the character and appearance of the WCA and the proposal would therefore be contrary to Core Strategy policies P10, which seeks to protect natural assets; P11, which requires the conservation of the historic environment including conservation areas; and P12, which aims to conserve townscapes. It would also be contrary to Policy N20 of the Unitary Development Plan (UDP) which resists the removal of features which contribute to the character of conservation areas. The development would also fail to accord with the guidance in chapter 12 of the National Planning Policy Framework (the 'Framework') and the Woodlesford Conservation Area Appraisal which both recognise the value of conserving and enhancing conservation areas. I can find no conflict with Policy N19 of the UDP as this appears to relate to the erection of buildings or extensions, which do not form part of this proposal.
7. However, the harm to the significance of the WCA would be less than substantial and therefore it is necessary, in accordance with paragraph 134 of the Framework, to consider any public benefits from the proposal. I do not consider this development would provide any public benefit that would outweigh the harm that the proposal would cause to the appearance of the WCA.

Highway safety

8. The proposed parking bay would be positioned alongside the existing double garage and would front onto the entrance to the station car park. Running in front of the site there is a surface water drainage gulley which distinguishes the site from the access to the car park. Although I note the presence of a planter on the corner of the access road which means cars would not be likely to drive tightly against this gulley, I consider cars leaving the station car park would pass close to the proposed parking bay such that a car could not reverse from the proposed bay without entering the vehicular carriageway. Also pedestrians may walk alongside the gulley when leaving the station. The visibility for cars reversing from the bay into the access road would be obstructed by the existing garage and therefore the safety of cars using the proposed bay, and of cars and pedestrians exiting the station car park, would be compromised.
9. Furthermore, were cars to exit the bay forwards, for them to drive onto Station Lane and particularly when wishing to turn left onto Station Lane, the car would most likely need to utilise the full width of the car park access. Visibility from Station Lane into the car park access is limited and although the speed of vehicles turning into the access would most likely be slow, there may be the potential for vehicular conflict. As such, due to the orientation of the proposed bay to Station Lane, I consider cars exiting the proposed bay forwards would also represent a risk to highway safety.

10. In addition the poor visibility between Station Lane and the car park entrance also means that a car stopping in the access road to reverse into the proposed bay would also present a hazard for cars turning into the car park.
11. The station is likely to be busiest at peak times and for the majority of the day it is likely that few vehicles would use the car park. Nonetheless the car park is sizeable and at my site visit I counted around 40 cars parked there. Therefore at peak times the access is likely to be busy and at these times the proposal would represent a risk to highway safety.
12. I understand that cars currently park on the road in front of the existing double garage as there are no other off road parking spaces available to the property. However, whilst this may also present a risk to highway safety, this should not justify the proposal which would also compromise highway safety.
13. Accordingly the proposal would conflict with Policies T2 of the Core Strategy and GP5 of the UDP which both require development to maximise highway safety, and the advice in paragraph 35 of the Framework which requires development to provide safe and secure layouts.

Other matters

14. The appellant suggests, briefly, that the works do not require planning permission. However I have no evidence before me to substantiate this and as such I can give little weight to this consideration.

Conclusion

15. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be dismissed.

Andrew Owen

INSPECTOR