



Appeal Decision

Site Visit made on 18 February 2021

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 March 2021

Appeal Ref: APP/N4720/W/20/3263359

10 New Farmers Hill, Woodlesford, Leeds LS26 8PS

- 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 Mrs Ann Wraith against the decision of Leeds City Council.
 - The application Ref 20/02971/FU, dated 22 May 2020, was refused by notice dated 21 July 2020.
 - The development proposed is a detached house with integral garage.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. My attention has been drawn to the Oulton and Woodlesford Neighbourhood Plan. However, the evidence before me indicates that it is still at the preparation stage and therefore it is not at a stage where it can be given determinative weight in this appeal.

Main Issues

3. The main issues are:
 - (i) whether the development would preserve or enhance the character or appearance of the Woodlesford Conservation Area; and
 - (ii) the effect of the development on biodiversity.

Reasons

Woodlesford Conservation Area (WCA)

4. The WCA encompasses the historic core of Woodlesford and later residential expansion. The residential expansion includes the late twentieth century cul-de-sac development of New Farmers Hill which lies at the northern extremity of the WCA. From the evidence before me, and my own observations, the significance of this part of the WCA is derived from its distinctive timber-framed buildings, consistent use of brick and timber surfaces, and mature landscaping in the garden plots.
 5. No 10 is one of three similar two-storey, timber-framed houses forming a cohesive group on the southern side of the street. The houses are set back in their plots with garages at the front. Immediately to the east, forming another cohesive group at the end of the cul-de-sac, are similarly arranged dormer bungalows, all of the same design.
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6. The proposal is to construct an infill house in the side garden of No 10. This side garden is much larger than most within the street. It contains mature garden planting around the perimeter and is readily apparent from the street due to the lack of enclosure at the front.
7. The Woodlesford Conservation Area Appraisal and Management Plan explains that mature trees and landscaping in the garden plots add to the positive character of this part of the WCA and form an important soft setting to the strong architectural forms. Owing to its open and pleasant landscaped character, the appeal site contributes positively to the street scene and hence to the significance of this part of the WCA.
8. The appellant contends that the plot size and proposed site layout is similar to others in the street and would allow the open front aspect to be maintained. Even so, the development, including extensive hard surfaces at the front, side, and rear, would fill a substantial proportion of the site and lead to a significant change in character and appearance. The reduction in landscaped frontage, and diminution of the site's verdant character as a whole, would diminish the site's positive contribution to the distinctive character of the WCA.
9. Furthermore, even though the house would be commensurate in finished height with its immediate neighbours, it would be inconsistent in its overall width-to-height proportions due to the undercroft garaging level. Moreover, whilst the design incorporates materials and window features found elsewhere in the street, this would not be sufficient to prevent the house appearing as a misplaced development between the two cohesive groups of houses it would be seen closely with.
10. Overall, the development would not contribute positively to the street scene and would undermine the distinctive character which makes New Farmers Hill a high quality place. The effect would be localised in the context of the overall WCA, but nevertheless, for the reasons above, it would neither preserve nor enhance the character or appearance of the WCA.
11. In reaching my conclusion I have taken into account the large extension opposite, which the appellant suggests is more harmful than the proposal. However, I do not have the full details of that scheme and the circumstances that led to the Council granting planning permission for it. In any event, the presence of other apparently similar development is not a reason, on its own, to allow unacceptable development on this site, which presently makes an important contribution to the significance of the WCA, the preservation of whose character or appearance I am required to pay special attention, and against which test this proposal fails.
12. Whilst the degree of harm here would be less than substantial in the language of the National Planning Policy Framework (the Framework), this does not equate to a less than substantial planning objection, especially where the statutory test is not met. Furthermore, heritage assets are irreplaceable and great weight should be given to their conservation. Paragraph 196 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
13. No specific public benefits have been referred to. Nevertheless, the scheme would add to the supply and choice of housing in an accessible location. There

would also likely be some economic benefits from construction and from local spend by the occupants. However, due to the size of the development, the scale of these potential benefits would be very limited and does not therefore outweigh the harm to the significance of the WCA.

14. I therefore conclude, on this issue, that the development would unacceptably harm the local character and distinctiveness of New Farmers Hill, and in turn would fail to preserve or enhance the character or appearance of the WCA. Thus, the proposal would be contrary to Policy P11 of the Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019) (the CS), and saved Policies N19 and N20 of the Leeds Unitary Development Plan (Review 2006) Volume 1: Written Statement (the UDP), which seek to conserve and enhance the historic environment. In addition, the proposal would be contrary to CS Policy H2 and saved UDP Policies N20 and N23, which seek retention of land and features which contribute positively to the character of the area.
15. The proposal would also fail to accord with paragraph 127 of the Framework, which requires that development adds to the overall quality of the area and is sympathetic to local character. Therefore, the proposal would also be contrary to CS Policy P10 and saved UDP Policy GP5, which generally align with the Framework in this regard.

Biodiversity

16. The Council's delegated report refers to a requirement to achieve a 10% net gain in biodiversity using the DEFRA Biodiversity Metric calculation. However, whilst CS Policy G9 seeks an overall net gain for biodiversity, it contains no specific level of biodiversity net gain to be achieved. Moreover, any such gain is to be commensurate with the scale of the development and its impact.
17. The proposal would result in the loss of a large proportion of the existing vegetation on the site. However, the well-maintained lawn and garden shrubs affected are likely to be of low ecological value and there is no substantive evidence to suggest otherwise. Furthermore, there is no indication that the site forms part of any designated nature sites, or is integral to the connectivity of the Leeds Habitat Network.
18. Although somewhat generic, the proposal includes for the provision of bird nesting boxes and a bee hotel. It is also indicated that some new tree planting would take place with the aim to diversify the range and quality of trees on the site. Whilst I recognise that the appellant has failed to conclusively demonstrate that such measures would lead to a net gain in biodiversity; equally, I have not been provided with any evidence that they would not.
19. Taking into account the characteristics of the site and small scale of the development proposed, there is a reasonable likelihood in this case that even relatively small measures such as those proposed could achieve a commensurate level of biodiversity net gain. The precise details of the specification, number, and location of enhancement measures are matters that could be dealt with by the imposition of appropriately worded conditions.
20. On this basis, I conclude that the development would not have harmful implications for biodiversity and would not conflict with CS Policy G9 and paragraph 175 d) of the Framework in this regard. However, this does not outweigh the harm I have identified in respect of the first main issue.

Other Matters

21. I have noted the representations from interested parties on matters not covered in the main issues above. However, as I intend to dismiss the appeal for other reasons it is not necessary to explore these matters in this decision as it would not alter the appeal outcome.

Conclusion

22. For the reasons given, the proposal would conflict with the development plan as a whole and there are no material considerations, including the provisions of the Framework, that would outweigh that conflict. I therefore conclude that the appeal should be dismissed.

A Caines

INSPECTOR