



Appeal Decision

Site visit made on 15 March 2022

by C Megginson BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th April 2022

Appeal Ref: APP/N4720/D/21/3289651

1 Westroyd Park Lodge, New Street, Farsley, Pudsey LS28 5AS

- 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 R. Bennett against the decision of Leeds City Council.
 - The application Ref 21/01659/FU, dated 26 February 2021, was refused by notice dated 20 October 2021.
 - The development proposed is the demolition of existing outbuilding, new garden room and alterations to external boundary walls.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on the character or appearance of the host property and the Conservation Area.

Reasons

3. 1 Westroyd Park Lodge is a lodge house and the original gatehouse to the grade II listed West Royd House, within the surrounding public space of West Royd Park, and within the Farsley Conservation Area (CA). It stands alone, on the eastern side of New Street and is overlooked by the terrace on the western side of New Street and also from the public paths and open spaces within West Royd Park itself. To the southeast are two tennis courts and a car park directly to the south.
4. The Farsley Conservation Area Appraisal and Management Plan (2010) identifies the appeal site as a positive building within Character area 7 – West Royd Park, which is described as the ‘most important green space within the conservation area’. The gate piers which are directly adjacent to the appeal property are described as ‘an important characteristic of the area’ and views from and towards the park from New Street are described as key characteristics of the CA. Whilst the wider CA is mixed, the immediate area of the appeal site has a uniformity of materials which contributes to the character, appearance and significance of the CA.
5. The appeal property has a pleasing, modest design and a consistent palette of largely stone materials, typical of the surrounding terraces and walls surrounding West Royd Park. This simple, cohesive design makes a positive contribution to the character of the CA.

6. The boundary wall of the appeal property facing New Street features a low stone wall with fence panels above. The height of this boundary provides some screening; however, the lodge can still be viewed when directly opposite and along New Street from the north. Views from New Street to the south and from Sycamore Walk are restricted by a high wall.
7. Whilst most of the proposed garden room would be positioned behind the high wall, the northern most side would overlap the side of the lodge fronting New Street. This would sit between the lodge and the lower boundary and would be clearly visible from New Street. Whilst I appreciate that high quality materials are proposed and that there may be a general acceptance of timber outbuildings in residential gardens, in this case, the size and modern boxy form of the garden room and modern materials would visually dominate the existing modest host property.
8. When viewed from inside West Royd Park, the appeal proposal would be seen against the backdrop of the consistent palette of stone used in the boundary wall, lodge house and terrace. In this context, the modern cedar wood of the proposed garden room and the 11-metre length of high timber fencing would stand out as dominant and incongruous forms of development.
9. Whilst I appreciate that the tennis courts to the southeast of the appeal site are surrounded by dark green high metal mesh fencing, this is what you would typically expect to see in this context, therefore, it does not stand out as incongruous. Similarly, the storage container at the tennis courts is dark green in colour and is sited in an unobtrusive location, between the tennis courts and the high stone wall, where it is not immediately visible.
10. The harm that would arise would be localised and therefore the impact on the CA as a whole would be less than substantial when considering the provisions of the National Planning Policy Framework (the Framework). In such circumstances the Framework states that harm should be weighed against the public benefits of the proposal. Benefits in this case, such as improvements to the garden provision, would appear to be largely private, and, as such would not outweigh the harm that I have identified to which I am required to give great weight.
11. Thus, my overall conclusion is that the proposal would have an adverse effect on the character and appearance of the host property and the CA, and in doing so would fail to preserve the character and appearance of the CA. The proposal would cause less than substantial harm to the significance of the CA and in the absence of any public benefits to outweigh this harm, would be in conflict with Policies P10 and P11 of the Leeds Local Plan Core Strategy (as amended by the Core Strategy Selective Review 2019) and saved Policies GP5, BD5 and N19 of the Leeds Unitary Development Plan (2006), which seek to secure high quality design that enhances or reinforces local distinctiveness.

Other Matter

12. I note that the appellant states that the options available under permitted development rights for the demolition of the existing outbuilding and erection of fencing should be considered. I have limited information on the permitted development rights referred to. While it may be possible to demolish the existing outbuilding and erect fencing under permitted development rights, I have found that the erection of the garden room would lead to harm.

Conclusion

13. The appeal scheme would conflict with the development plan. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal should therefore be dismissed.

C. Megginson

INSPECTOR