



Appeal Decision

Site visit made on 15 February 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 March 2023

Appeal Ref: APP/N4720/D/22/3308872

15 Thorp Arch Park, Thorp Arch, Wetherby, Leeds LS23 7AP

- 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 Fiona Spence against the decision of Leeds City Council.
 - The application Ref 22/04238/FU, dated 13 June 2022, was refused by notice dated 10 August 2022.
 - The development proposed is increase in roof height to garage and addition of two dormer windows.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of the development in the banner heading above is taken from the decision notice and appeal form, which accurately describe the proposal.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Thorp Arch Conservation Area (CA).

Reasons

4. The core of Thorp Arch is a historic estate village characterised by modest stone-built cottages. The Council's Thorp Arch Conservation Area Appraisal and Management Plan (TACAAMP) confirms that the CA retains its medieval toft-and-croft plan form along much of the length of the main village street.
5. Housing within Thorp Arch Park, where the appeal property is located, contrasts with the historic core of the village and its rural foundations that form part of the CA's significance. Thorp Arch Park, is a more recent addition to the village, built within the 1970's and it is characterised by large two-storey detached houses set back from the road. Mature planting, and the positioning of buildings, results in a distinctly verdant character, which compliments the rural qualities of the CA.
6. The appeal dwelling is positioned on a corner and is highly visible on the bend. It has been extended already and is a sizeable property. The existing garage protrudes at an angle, projecting forwards of the main front façade of the house toward the street. Its current single storey height does not over dominate in the street scene despite its positioning. However, the proposed increased height would result in an overly prominent feature near the boundary and street. This would, due to the extent of visibility on the corner, erode the

sense of space and attractive open qualities that characterise this part of the CA.

7. The proposed extension would remain subordinate in height to the host dwelling and would utilise matching materials. Moreover, there would be no increase in footprint or reduction in gap between properties. However, the absence of harm in relation to these aspects of the design do not outweigh my concerns regarding the increased scale and massing in this location.
8. I have been referred to other examples where the Council have granted approval for extensions above a garage or to the side of houses. Not all the examples provided lie within the CA and therefore do not share the same characteristics. Moreover, from the evidence before me none are similar to the appeal scheme's projecting-built form forward of the main front façade of the host property. As such, the circumstances of the other examples are not directly comparable with the appeal proposal.
9. Overall, the proposal would not preserve or enhance the character or appearance of the CA. Heritage assets are irreplaceable and great weight should be given to their conservation. The harm would be localised to views along this part of the street. As such, the effects would be less than substantial in the context of paragraph 202 of the National Planning Policy Framework (the Framework). In accordance with paragraph 202, I must balance that less than substantial harm against any public benefits.
10. The proposal would improve the living conditions of the occupiers of the host dwelling. These carry minor weight as the benefits to the public would be minor. The absence of harm in relation to other matters, including the living conditions of occupiers of neighbouring properties, weigh neither for nor against the proposal. As such, the public benefits do not outweigh the less than substantial harm to the CA, and the great weight given to its conservation.
11. The proposal would therefore conflict with the requirements of Policies P10 and P11 of the Council's Core Strategy, Policies GP5, BD6 and N19 of its Unitary Development Plan, Policy BE1 of the Thorp Arch Neighbourhood Development Plan, guidance within the Householder Design Guide Supplementary Planning Document, the Village Design Statement Thorp Arch Parish Plan, the TACAAMP and the provisions of the Framework, when taken together. These are concerned with, amongst other things, the character and appearance of developments and, where relevant, developments within CA's.
12. Concerns regarding the processing of the application are not matters for my consideration as part of this appeal, and I must determine the appeal based on the plans before the Council.
13. For the reasons given above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR