



Appeal Decision

Site visit made on 20 June 2023

by A Caines BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2023

Appeal Ref: APP/N4720/D/23/3315354

19 Chapel Hill Road, Pool In Wharfedale, Otley, Leeds LS21 1QY

- 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 Robert Tindall against the decision of Leeds City Council.
 - The application Ref 22/07957/FU, dated 28 November 2022, was refused by notice dated 23 January 2023.
 - The development proposed is extending front of garage to make a small office including the removal of the garage door.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form gives a very lengthy description for the proposal, including justification for the works and other superfluous information that is not an act of development. Therefore, in the interests of brevity and clarity, I have shortened the description in the banner heading above to focus only on the act of development that is proposed.

Main Issues

3. The main issues in this appeal are:
 - Whether the development would preserve or enhance the character or appearance of the Pool-In-Wharfedale Conservation Area; and
 - The effect on highway safety, with particular regard to parking.

Reasons

Conservation Area

4. The Pool-In-Wharfedale Conservation Area (the CA) covers a wide area reflecting different uses and periods in its history. The appeal site lies within a discreet area of predominantly 20th century housing. This area has a distinct suburban character, but is unified by a consistent scale and traditional palette of materials which have little impact on the historic environment.
5. 19 Chapel Hill Road is part of a terrace of townhouses constructed in a traditional style and materials. The front facade of the building has a well-balanced and symmetrical composition with matching features including recessed integral garages and small lean-to porches, apart from at No 23 where the garage door has been replaced with a window following a successful planning appeal in 2011 (APP/N4720/A/11/2154452).

6. Whilst I have had regard to the appeal decision at No 23, the proposal before me is materially different. Most notably, the proposal involves a forward extension flush with the existing porch. This would cause the loss of the recess in which the garage door currently sits and an uncharacteristically wide porch that extends across the full width of the property. The result would be a development which appears markedly at variance with the design and composition of the rest of the building, including No 23. These changes would be moderate in scale, but would nevertheless harmfully affect the character and appearance of the building.
7. Given that the proposal would cause a harmful change to the appearance of the building, it would neither preserve nor enhance the character or appearance of the CA as a whole. Whilst the harm to the CA can be classed as less than substantial in the terms of the National Planning Policy Framework (the Framework), this is nevertheless a matter of considerable importance and weight. The private benefits that the development would bring to the occupiers through provision of a home office, or increased living space, would not come close to outweighing the harm to the CA.
8. Thus, the proposal fails to satisfy the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, and parts 12 and 16 of the Framework with regards to achieving good design and conserving and enhancing the historic environment. It would also conflict with the design and heritage requirements of saved Policies GP5, BD6 and N19 of the Leeds City Council Unitary Development Plan (Review 2006) (the UDP); and Policy P10 of the Leeds City Council Core Strategy (amended 2019). I do not however find conflict with UDP Policies N18 and N20 as the proposal does not involve demolition in the CA.

Parking and highway safety

9. The appeal property is served by a shared space roadway off Chapel Hill Road. The proposal would leave this family-sized property with only one off-street parking space at the front.
10. However, the appellant explains that the garage is unsuitable for parking due to its small size. Indeed, in allowing the appeal at No 23, the Inspector reasoned that the dimensions of these garages are likely to make their use for parking awkward and that, therefore, the garages do not make a practical contribution to car parking in the locality. I have not been given any reason to take a different view. Additionally, I do not consider that the development would add to car parking demand at the property. It follows that there would not be any material increase in on-street car parking. Consequently, the loss of the garage for parking is not a matter which should count against the proposal.
11. I recognise that the forward extension could result in a car being parked further back in the dedicated space. However, the appeal property is located at the widest point of the roadway, and so, it is unlikely that there would be any significant obstruction to other vehicle or pedestrian users at this point.
12. Accordingly, I find no material harm on parking and highway safety grounds. Thus, there is no conflict with the parking and highway safety objectives of Policy T2 of the UDP, the Council's Street Design Guide; and part 9 of the Framework.

Conclusion

13. I have found that the development would fail to preserve the character and appearance of the CA. For this reason, the appeal should be dismissed.

A Caines

INSPECTOR