

Appeal Decision

Site visit made on 30 March 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 11th April 2017

Appeal Ref: APP/X4725/D/17/3167341
2 Bentley Road, Wakefield WF2 8HF

- 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 William McCrodden against the decision of Wakefield Metropolitan District Council.
 - The application Ref 16/02485/FUL, dated 30 September 2016, was refused by notice dated 21 November 2016.
 - The development proposed is the erection of a dormer at main roof level.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a dormer at main roof level at 2 Bentley Road, Wakefield WF2 8HF in accordance with the terms of the application Ref 16/02485/FUL, dated 30 September 2016, subject to the conditions set out in the schedule to this decision.

Procedural matters

2. The proposed dormer is largely complete. It appears to broadly reflect the details shown on the plans.
3. The date of the application in the above heading and in my decision is taken from the decision notice and Part C of the appeal form because the details given on the application form lodged with the Council are unclear from the copy provided.
4. At the site visit, I viewed the appeal property from 4 Bentley Road with the consent of the occupiers of this adjacent dwelling and did so unaccompanied.

Main issues

5. The main issues are the effect of the proposed development on the character and appearance of the local area and on the living conditions of the occupiers of 4 Bentley Road with particular regard to visual impact.

Reasons

Character and appearance

6. The appeal property is a semi-detached house within a mainly residential area, within which dwellings are broadly similar in size, age and style. At the time of the site visit, No 2 was undergoing comprehensive renovation in the light of the
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Council's recent decision to grant planning permission to enlarge and alter the main building to include a 2-storey rear extension with a gable end. The appeal dormer, which is hereafter referred to as the dormer, has been placed onto the southeast facing roof slope of that rear extension, which is also substantially complete.

7. In many situations, a dormer of the size and mass that has been erected would be regarded as a large and bulky addition to a house with respect to normal guidelines for extensions. It covers much of the roof slope to which it belongs with a ridge that broadly aligns with that of the host building. Nevertheless, little of the dormer can be readily seen beyond the rear gardens of No 2 and its attached counterpart, which is 4 Bentley Road, given its position at the back of the main house and the screening provided by the host building.
8. From the back gardens of Nos 2 and 4, views of the dormer are at an upward angle against the backdrop of a substantial host building with its 2-storey rear addition. In that context, it appears as a proportionate addition and does not look out of place given the varied profile of the new rear façade. Taken together with the use of materials to match the main roof, the dormer is not obtrusive nor does it visually jar with the style of the dwelling. None of the dormer can be seen from the road and only parts of the new addition can be glimpsed at some distance from the rears of other properties.
9. In those circumstances, the finished dwelling, taken overall, would have an acceptable appearance. It would have been significantly changed at the rear but the dormer, in itself and cumulatively with the 2-storey rear extension, is not incongruous or unduly harmful to the intrinsic character of the host building. From what I saw, other properties in the area surrounding the site have had far more visible high-level extensions without detriment to the quality of the area. Thus, I am not persuaded that the new dormer, once complete, would materially harm the character and appearance of the local area.

Living conditions

10. The 2-storey rear extension projects beyond the main back wall of No 4 and its sidewall is evident at an oblique angle from the rear windows of this adjacent property. The dormer has introduced additional built to that rear extension, which appears more substantive as a result.
11. Even so, views of the dormer from the rear windows of No 4 are restricted given its elevated position and the acute angle of sight. The main direction of outlook from each of the rear windows of No 4, which is across its open rear garden with the flank wall to the rear extension of No 2 to one side, is largely unaffected by the dormer. Consequently, it has no discernable effect on the living conditions of the occupiers of No 4. While the rear extension of No 2 and the dormer are both visible from No 4, their combined scale and mass, and their orientation or position, does not cause them to be unduly imposing or oppressive on the occupiers of this neighbouring property.

Conclusion on the main issues

12. On the main issues, I therefore conclude that the proposed development would not cause significant harm to the character and appearance of the local area. It would not materially reduce the living conditions of the occupiers of No 4.

13. Accordingly, the appeal scheme does not conflict with Policies D9 and D10 of the Council's Local Development Framework Development Policies Document. These policies aim to ensure that new development respects the character and scale of the dwelling and the locality, and safeguards residential amenity.

Conditions

14. Since the development has begun, I share the Council's opinion that the standard commencement condition is unnecessary. As the development is not complete, it is appropriate to require that it be carried out in accordance with the approved plans for certainty. A condition to require that the external materials match those of the host building is also necessary in the interests of achieving a satisfactory appearance for the finished building.
15. To prevent potential overlooking problems towards to the rear garden of No 4, it is necessary to remove permitted development rights that would otherwise allow additional openings without planning permission. Such a measure is exceptionally required in this instance because windows in the side of the dormer could result in a significant loss of privacy to the occupiers of No 4.

Conclusion

16. For the reasons given above, I conclude that the appeal should be allowed.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: MAC/MRH/2B, MAC/MRH/3 entitled Proposed Roof Dormer and MAC/MRH/3, entitled Site Location Plan.
- 2) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be constructed on the dormer extension hereby permitted.