
Appeal Decision

Site visit made on 7 January 2020

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd February 2020

Appeal Ref: APP/X4725/D/19/3239161

3 Towers Close, Crofton, Wakefield WF4 1JB

- 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 Shahbaz Khan against the decision of City of Wakefield Metropolitan District Council.
 - The application Ref 19/01227/FUL, dated 23 May 2019, was refused by notice dated 24 July 2019.
 - The development proposed is demolition of existing porch and two storey extension to front.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are i) the effect of the proposal on the living conditions of the occupiers of neighbouring property no 4 Towers Close with particular regard to daylight and ii) the effect of the proposal on the character and appearance of the area.

Reasons

Living Conditions

3. The appeal property is a two storey end of terrace property in a prominent position on the corner of the Towers Close and Bedford Close.
4. The immediate surrounding area is residential in character and there are a range of house types including bungalows, semi detached properties and short terraces of properties arranged in a stepped format. The appeal property sits at the end of a terrace of four properties and is set forward of the neighbouring property no 4 Towers Close by approximately 1 metre.
5. The proposal would see the removal of an existing front porch and the construction of a two storey full width extension with a forward facing gable. Whilst I appreciate that the extension would only project around 1.3 metres from the main front wall of the appeal property it would, in effect project forward of the no 4 Towers Close by around 2.3 metres. This is due to the existing stepped format of the terrace.
6. I noted during my site visit that the upstairs windows of no 4 Towers Close extend across almost the full width of the property adjoin the side wall of the

appeal property. At the time of my visit at around 1pm approximately half of the front elevation of no 4 was in shadow cast by the existing projecting front elevation of the appeal property. Whilst I do appreciate that this is a snap shot in time, I consider that owing to the orientation of the properties the proposed extension would further exacerbate overshadowing thus having significant detrimental impact on the amount of daylight entering the windows of no. 4 Towers Close.

7. Policy D10 of the Wakefield local Development Framework Development Plan Document (LDFDPD) 2009 relates specifically to extensions and alterations to dwellings stating that development will only be permitted where it would not;
c) significantly overshadow neighbouring dwellings resulting in harm to the amenity of occupants of the dwelling or neighbouring properties.
8. Policy D9 of the LDFDPD sets out requirements with regard to the design of new development and requires at k) that proposals have no significant detrimental impact on the amenity of existing neighbouring users or residents.
9. I consider that the proposal would have an unacceptable affect on the living conditions of no. 4 Towers Close with regard to daylight and therefore it would conflict with Policy DC 9 and DC 10 of the LDFDPD.

Character and Appearance

10. There are a range of house types within the vicinity of the appeal property although generally the properties are relatively uniform in style and materials and all but one of the properties have gable roofs with front facing eaves details. The exception to this is no 12 Towers Close which has an extension with a front facing gable, similar to the proposal.
11. The appeal property sits in a very prominent position on the corner of two streets and at a slightly higher level than those further into the cul-de-sac, including no 12. The proposal would therefore be very visible from a number of public vantage points.
12. The proposal would introduce a two storey front extension in a prominent part of the street where the only other front extensions are single storey. It would be located at the end of what is currently a short terrace of properties that are very uniform in appearance thus unbalancing the architectural rhythm of the terrace by introducing a feature that would be discordant and incongruous. Consequently, I find that the proposal would have a significantly detrimental affect on the character and appearance of the area.
13. Accordingly, I consider that the proposal would conflict with the design aims of Policy D9 of the LDFDPD and Policy CS10 of the Wakefield Core Strategy (CS) 2009 which aims to, amongst other things, protect and enhance local character and distinctiveness.

Other Matters

14. I acknowledge the appellant's submission that there is a very similar front extension to that proposed already constructed in the street at no 12 Towers Close. Whilst I do not have the full details of this case or the circumstances under which it was permitted. I noted during my site visit that no 12 Towers Close is located at the head of the cul-de-sac and in a far less prominent position than the appeal property. Furthermore, no 12 is one of a pair of semi-

detached properties that follow the same building line and therefore the projection of the extension would not have the same overshadowing effect as that subject to this appeal. Nevertheless, I must determine this appeal on its own merits and the existence of another similar development within the surrounding area does not outweigh the harm that I have identified with reference to the main issues.

15. Similarly, I note the appellant's submissions relating to the improved energy efficiency and internal space that would be afforded to the appeal property via the proposal. However, these benefits would be limited to the appellant's household and whilst I sympathise with the appellant's desire to improve the property, the personal benefits listed would not overcome the detrimental impacts to the living conditions of the occupiers of the neighbouring property or the harm to the character and appearance of the area.

Conclusion

16. For the reasons outlined above and taking into account all other matters raised, I conclude the appeal should be dismissed.

J Hunter

INSPECTOR