



Appeal Decision

Site visit made on 25 February 2020

by M Madge DipTP, MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 March 2020

Appeal Ref: APP/X4725/D/20/3245660

1 Sorrel Way, Pontefract, West Yorkshire WF8 4FB

- 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 Christopher Brown against the decision of City of Wakefield Metropolitan District Council.
 - The application Ref 19/01596/FUL, dated 19 July 2019, was refused by notice dated 13 November 2019.
 - The development is a wooden garden room.
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Decision

1. The appeal is allowed and planning permission is granted for a wooden garden room at 1 Sorrel Way, Pontefract, West Yorkshire WF8 4FB in accordance with the terms of the application, Ref 19/01596/FUL, dated 19 July 2019, and the plans submitted with it.

Procedural Matter

2. I saw at my site visit that the wooden garden room has been substantially completed. From what I could see, the development appears to be in accordance with the submitted plans.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The site is located on the corner of Sorrel Way and Ackworth Road; a main route into the settlement. It forms part of a relatively new development characterised by predominantly detached houses with detached garages. Private garden areas are bounded by tall fences and front gardens are either left open plan or have low hoop top style fencing.
5. Along Ackworth Road there is a variety of dwelling styles and designs. Many of the dwellings are set back from the road and located behind a variety of tall boundary treatments. The development is located behind a tall boundary fence, screening most of it from view.
6. The garden room has a dark grey/black colour finish and is of a modern design; incorporating an almost flat roof and glazing to its front and side elevations, which face into the garden. The scale of the development is somewhat greater

than would be typical of a garden store, but it is not excessive given its ancillary accommodation function.

7. The land level within and around the site has a significant slope. The garden room has been erected so that its floor is level with the higher ground level within the site.
8. When travelling out of the settlement the scale of the development appears unobtrusive in the street scene, due to its design and location. When travelling into the settlement, the glazed front elevation is more readily visible above the boundary fence due to the rising land level. The majority of the building is screened by the fence, but that part which can be seen, retains the appearance of a residential outbuilding. Whilst the development does change the street scene to a degree, it does not harm its inherently residential character and appearance.
9. For the reasons set out above I conclude that the development causes no significant harm to the character and appearance of the area. Accordingly, I find no conflict with Policy CS10, Policy D9 or Policy D10 of the Local Development Framework Core Strategy and Development Plan Document or the Framework, which seek to deliver good design and developments that make a positive contribution to the environment and amenity of the locality.

Other Matters

10. The adjacent neighbour has raised concerns that the development would affect their privacy and the quiet enjoyment of their garden. While use of the garden may be more concentrated due to the presence of the garden building, its scale and nature are sufficiently modest that it would not have a significant effect on the neighbour's living conditions, particularly given it is situated in an established residential area. Furthermore, the windows and doors face into the garden at the appeal property. Therefore, this matter does not justify withholding planning permission.
11. The removal of permitted development rights from the estate has been brought to my attention. The Council advises that the condition was imposed due to the limited garden sizes of some of the properties and the impact exercising permitted development rights could have on neighbouring properties. Even with the development, a functional garden space is retained, and there is no harm to neighbouring living conditions. The development does not therefore conflict with the reason for removing permitted development rights.

Conditions

12. The Council has indicated that they wish the materials to be used in the construction of the external surfaces of the development to match those of the existing building. As I find the development acceptable, this condition is not necessary.

Conclusions

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

M Madge

INSPECTOR