
Appeal Decision

Site visit made on 12 October 2020

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2020

Appeal Ref: APP/X4725/D/20/3257319

14 Woodside Drive, Wrenthorpe, Wakefield WF2 0NA

- 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 Joanne Sharp against the decision of City of Wakefield Metropolitan District Council.
 - The application Ref 20/00417/FUL, dated 14 February 2020, was refused by notice dated 19 May 2020.
 - The development proposed is proposed external covered seating area and store, boundary wall, entrance gates.
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Decision

1. The appeal is dismissed insofar as it relates to the proposed boundary wall, entrance gates.
2. The appeal is allowed insofar as it relates to the proposed external covered seating area and store at 14 Woodside Drive, Wrenthorpe, Wakefield WF2 0NA in accordance with the terms of the application, Ref 20/00417/FUL, dated 14 February 2020, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (received by the Council 19 February 2020); Block Plan (received by the Council 25 February 2020); and Proposed Plans (received by the Council 25 February 2020).

Procedural Matters

3. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a slightly different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application which accurately describes the proposal.
4. The Council issued a split decision granting permission for part of the development described as relating to the covered seating area and store. Appeals following split decisions are dealt with under section 78 of the Town and Country Planning Act 1990 (The Act) as being against the refusal of planning permission. In such cases and in accordance with section 79(1)(b) of The Act, the whole proposal is before me to determine and I am not, therefore, restricted to dealing with only the elements which have concerned the Council.

5. The development subject of this appeal is in situ therefore, I am considering the appeal retrospectively.

Main Issue

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

Reasons

7. The appeal property is a semi-detached house located within a residential area. Although there is some variation in the houses within the area, properties generally have low front boundary treatments or planting creating a pleasant, soft-landscaped and open character.
8. In issuing the split decision approving the external covered seating area and store the Council's decision notice confirms that it is not a matter of contention for the main parties. No other party has commented on this aspect either. Due to its location, scale, design and material finish, I also consider that it is an appropriate addition to the house that does not harm the character and appearance of the area. It is evident from the plans that are before me that this aspect of the appeal scheme is clearly severable, both physically and functionally from the boundary wall and entrance gates.
9. The gates and wall with its fence wrap around the rear, side and front boundary enclosing the property resulting in a solid stark appearance. Due to the height, appearance and length wrapping around the front garden, this results in an overly dominant feature which detracts from the distinctly soft-landscaped open character of the surrounding area.
10. I saw during my site visit that there is a wide variety of boundary treatments in the area, including high close boarded fencing, particularly at corner properties where rear/side gardens would otherwise be open to public view. However, none that I saw wrapped around the plot to continue across the main front of any dwelling to the extent demonstrated at the appeal site.
11. I therefore conclude that the boundary wall and entrance gates have an unacceptable effect on the character and appearance of the local area. As such, this part of the development conflicts with Policy CS10 of the Wakefield Core Strategy and Policies D9 and D10 of the Wakefield Development Policies document. These policies stipulate, amongst other things that developments should maintain or enhance the district's settlements diverse range of residential neighbourhoods.
12. These policies are consistent with the provisions of the National Planning Policy Framework. I therefore conclude that this part of the development conflicts with paragraphs 127 and 130 of the Framework which broadly seek to secure high quality design.

Other Matters

13. There is a large height difference between the footpath and rear garden. The development provides privacy and increased security at the property. However, whilst I note the distance to the motorway, I have not been presented with any evidence of a particular crime issue here.

14. I have had regard to the letters of support from local residents and the personal circumstances of the appellant. However, there is no evidence to suggest that other ways to achieve the appellant's aims or minimise the extent of the boundary treatment have been investigated and discounted. Moreover, I am mindful that the development is likely to remain long after the personal circumstances cease to be a material planning consideration. As such, although the development may be of benefit to the living conditions of the occupants, I afford these matters only limited weight within the decision.

Conditions

15. As the development is retrospective, the standard time limit condition is not necessary. The Council included a plans condition on its split decision. I agree this is reasonable and necessary in the interests of certainty although I have simplified the wording.

Conclusion

16. I have taken account of all the other matters raised including the benefits of the development. However, none changes the balance of these findings and the harm I have identified from the boundary wall and entrance gates to the character and appearance of the surrounding area.
17. The external covered seating area and store is clearly severable both physically and functionally from the boundary wall and entrance gates. Accordingly, for the reasons given above, I conclude that the appeal should be allowed insofar as it relates to the external covered seating area and store but dismissed insofar as it relates to the boundary wall and entrance gates.

Robert Walker

INSPECTOR