
Appeal Decision

Site visit made on 18 October 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 November 2021

Appeal Ref: APP/X4725/D/21/3278299 55 Stanley Road, Wakefield WF1 4NA

- 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 Mohammed Riaz against the decision of Wakefield Council.
 - The application Ref 21/00252/FUL, dated 26 January 2021, was refused by notice dated 5 May 2021.
 - The development proposed is retention of front porch/bay extension.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The application form that has been provided describes the proposal as being for the retention of the front porch/ bay extension. There is no reference on that form to any other form of development. However, the appellant maintains that the proposal also included the insertion of a flat roof on the existing rear conservatory which would form an outdoor seating area. The appeal form refers to this as a rear balcony.
4. The Council acknowledged that this formed part of the application but subsequently added a second reason for refusal on the basis that insufficient information was submitted to demonstrate that the impact of the balcony would be acceptable in planning terms. The appellant maintains that adequate information has been provided and that no harm would arise from the structure.
5. Whilst details are somewhat limited it is clear that the rear balcony forms part of the proposal put forward and I shall consider it as part of the appeal. Thus, the proposal before me is for the erection of a front porch/ bay extension, the development in that respect already having been undertaken, and the erection of a rear balcony.

Main Issues

6. The main issues are:

- The effect of the front porch/bay extension upon the character and appearance of the host property and the street scene.
- Whether sufficient information has been submitted in relation to the rear balcony and, if so, whether that element of the proposal is acceptable in planning terms

Reasons for the Recommendation

The Front Porch/ Bay Extension

7. No. 55 is a two-storey end of terrace dwelling located at the junction of Stanley Road and Earl Street in Wakefield. The property has been extended with two storey extensions to the side and rear, front and rear dormers, and a rear conservatory. The surrounding area is predominantly residential. Stanley Road is a long road with the immediate section in which the appeal site is located being characterised by blocks of two-storey terraced dwellings. The western side of this section of the road is distinctly characterised by two-storey dwellings with ground floor bay windows. In the main, those bays are semi-hexagonal and set to the side of the main entrance door, with modest proportions, being designed to align with windows in the upper story. Looking along Stanley Road, the bays are integral to the original design and provide an attractive rhythm to the street.
8. The front porch at the appeal property is box-shaped with a lean to roof and extends to cover the front of the house, including the original entrance door. Thus, the scale is inconsistent with the modest proportions of existing bays and the proportions contrast awkwardly against the attractive, semi-hexagonal, bays. The windows on the porch are also not of a similar scale to the first-floor windows of the host property, having a horizontal alignment rather than vertical emphasis.. Accordingly, the loss of the original bay window and replacement with the porch introduces an alien element which is discordant in scale, shape and form with the appeal property and the rest of this terrace block.
9. By virtue of its location on the street, it is visible from several public vantage points and detracts from the quality of the host property and the terrace block and is therefore harmful to their character and appearance. This harm is exacerbated by the render which is at odds with the red brick terrace. This is contrary to guidance within Wakefield District's Residential Design Guide Part 2:Guidance for Householders Supplementary Planning Document (2018) (the 'SPD')¹.
10. I note the appellant's intention to render the entire property so that the porch is reflective of the appeal property. However, the porch would still not relate to the property in scale and form. I also acknowledge the appellant's contention that rendering does not require planning approval. However, rendering the property would be discordant with the red brick of the terrace block and street scene and would not disguise the harmful effect of the appeal proposal.

¹ See sections 1.06.09 to 1.06.11 and 1.09.08

11. I find that the development significantly harms the character and appearance of the host property and the street scene. Accordingly, it conflicts with the objectives of policies D9 and D10 of Wakefield District's Local Development Framework Development Policies Document (2009) (the DPD) and the National Planning Policy Framework.
12. These seek amongst other things to ensure that proposals for new development respect, and where appropriate enhance the character of the locality in terms of design, scale, massing, height, density, layout, materials and colour and that extensions and alterations to dwellings will not be discordant with the style of the original dwelling or result in significant harm to the character of the area.
13. The appellant contends that the proposal is needed to secure additional living space, although the weight I attach to this is limited in the absence of any details of the precise needs of the occupants. In any event, I am not satisfied that the proposal represents the only means to secure additional space and there is no evidence that other, less harmful means have been considered. Consequently, this does not outweigh the harm identified.

The Proposed Balcony

14. The proposed plans in relation to the rear balcony are difficult to decipher to a point where it is not possible to work out precisely what is proposed. The appeal statement refers to the erection of a flat roof over the existing rear conservatory. However, the proposed elevation appears to show that at least one wall of the conservatory would need to be rebuilt, with what appears to be brickwork and a new window inserted. However, beyond that, the elevations are lacking in detail such that they do not provide a full picture of what is proposed. Moreover, no first-floor proposed plan is provided and, as such, it is not clear precisely what the extent of the external seating area would be. Whilst a section depicting a glazed balustrade is shown, in the absence of an associated first floor plan it is not clear exactly where that balustrade would be located.
15. The Council maintains it requested further information during the course of the application but that nothing was provided. The appellant disputes this. Be that as it may, I can only judge the proposal on the information that is before me. That information is seriously lacking in detail and does not allow for a full assessment of the visual impact of the proposal, or a proper judgement of whether there would be any impacts in terms of overlooking or privacy. Consequently, on the information provided, I cannot rule out that it would be harmful in those respects.
16. In addition, the conservatory is a lightweight structure that would not be capable of holding the weight of a flat roof/ balcony without some form of reconstruction. In that sense, it appears that a proposal for a balcony would require some form of rebuilding/ replacement of the structure itself, which may well need planning permission in its own right. Such development would extend beyond the scope of the present appeal.
17. For all of those reasons, it has not been demonstrated that the rear balcony would comply with the objectives of policies D9 and D10 of the DPD or guidance relating to the design of residential development in the SPD.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR.