



Appeal Decision

Site visit made on 31 January 2022

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2022

Appeal Ref: APP/X4725/D/21/3285588

7 Reid Park Avenue, Horbury, Wakefield, WF4 5PA

- 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 Ms Emma Callaghan against the decision of Wakefield Metropolitan District Council.
 - The application Ref 21/00878/FUL, dated 3 April 2021, was refused by notice dated 7 September 2021.
 - The development proposed is 'two storey extension to side and rear, dormer to side'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposed development on the character and appearance of the host dwelling; and
 - The effect on the living conditions of the adjoining occupiers at No 9 Reid Park Avenue (No 9).

Reasons

Character and appearance

3. The appeal property is a detached two storey dwelling located within a residential cul-de-sac to the north of Horbury village. Development along the road comprises detached and semi-detached two storey dwellings and bungalows. The appeal property is located within a row of four dwellings characterised by their simple gable ended form, steeply pitched roofs and a deep roof overhang with exposed rafter detail. The narrow spacing between the dwellings and the similarity in their form and features create a distinctive residential character.
4. As I saw at my site visit, Nos 3, 4, 6, 11 and 13 Reid Park Avenue all have two storey extensions to the side. However, with the exception of No 6, these are well set back from the dwellings' front wall and their distinctive gabled form has been retained as the principal feature of their front elevations.
5. The proposed two storey rear extension would project approximately 6 metres from the appeal property's existing rear wall. Due to the combination of its length and height, it would increase the bulk and mass of the dwelling, but it would have the same roof pitch and gabled form as the existing dwelling. The

two storey side projection would be positioned at right angles to the rear extension, resulting in an 'L' shaped addition overall. However, it would be well set back from the front elevation, and the dwelling's original and distinctive steeply pitched gabled roof form would be retained.

6. Due to the position of the side projection back from the front elevation, the variation in the eaves levels of the original dwelling and the side projection would not appear jarring or harmful to the character and appearance of the dwelling. The side projection would result in the loss of the open gap between the appeal dwelling and No 9, but it is a narrow space when viewed from Reid Park Avenue and its loss would not cause material harm to the wider street scene.
7. The proposal would not fully accord with the advice in the Residential Design Guide Supplementary Planning Document (2018) (SPD) that an extension should normally be subordinate to the original house to reduce its visual impact. However, each case must be considered on its merits. Based on the circumstances of the site, I conclude that whilst it would not be subordinate in terms of scale and massing, the proposed rear and side extension would not cause material harm to the character and appearance of the host dwelling.
8. For these reasons, I conclude that the proposal would accord with Policy CS10 of the Wakefield Local Development Framework Core Strategy (2009) and Policies D9 and D10 of the Development Policies document (2009) (DP) in so far as they require high quality design for new development and seek to ensure that extensions respect the character and scale of the dwelling and its location. It would also meet the provisions of the Framework that development should function well and add to the overall quality of an area.

Living conditions

9. Due to its projection back from the rear wall of the host dwelling, its height and proximity to the side wall of No 9's rear extension, the proposal would reduce the levels of daylight reaching the high-level side window and velux window in No 9's rear extension. However, that space is also served by rear patio doors and a window in the east elevation. Consequently, that room would continue to receive adequate levels of daylight.
10. As the extension would be orientated to the west of No 9, levels of sunlight to the high level and velux windows in No 9's rear extension would also be reduced. Notwithstanding that those are secondary windows, they will receive afternoon/evening sunlight and the loss of that would represent a material reduction in the living conditions that the occupiers currently enjoy.
11. No 9 has two first floor bedroom windows in its rear elevation. Due to the combination of its position back from the rear wall of the host dwelling, proximity and height, the proposed side projection's gable wall would appear oppressive and dominating when viewed from those windows and the outlook from the bedroom would be much more restricted. This would be materially harmful to the living conditions that the occupiers currently enjoy.
12. Furthermore, the expanse of the side wall projecting above No 9's rear extension and the two storey rear elevation would appear oppressive and overbearing when viewed from No 9's rear garden. This would increase the sense of enclosure and would make No 9's garden area much less pleasant to

use, which would be materially harmful to the living conditions that the occupiers currently enjoy.

13. The layout of the extensions on other dwellings in the road in relation to neighbouring properties are different from the case before me. As such, I give them limited weight in my assessment of the appeal which has been determined based on the specific circumstances of the appeal site and the details of the proposal.
14. The appellant indicates that a 2 metre high fence could be erected on the common boundary with No 9 under permitted development rights, which would result in the loss of afternoon/evening sunlight to the high level window in No 9's rear extension. However, this would not obscure the velux window and in terms of scale and massing, would not have the same impact as the appeal proposal. As such, I give this very limited weight as a fallback position.
15. I conclude that the proposal would cause material harm to the living conditions of No 9's occupiers with regard to loss of sunlight and the harm to outlook from the first floor windows and rear garden. Consequently, it would be contrary to DP Policies D9 and D10 in so far as they seek to ensure that development does not have a significant detrimental impact on the amenity of neighbours. There would also be conflict with the provisions of the Framework to require a high standard of amenity for existing and future users.

Other matters

16. I note that the extension provides an opportunity to re-configure the dwelling's internal layout and to accommodate the appellant's family, however these are personal circumstances which can change over time and the development would remain long after such circumstances have ceased to be relevant. Accordingly, this has limited weight in the overall planning balance.

Conclusion

17. Whilst I have concluded that the proposed development would not harm the character and appearance of the host dwelling, this does not outweigh the harm to the living conditions of No 9's occupiers and the conflict with the development plan, read as a whole.
18. For the reasons outlined above and having had regard to all other matters raised, the appeal should be dismissed.

Sarah Housden

INSPECTOR