



Appeal Decision

Site visit made on 21 June 2022

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2022

Appeal Ref: APP/X4725/D/22/3296080

11 Swithenbank Street, Ossett WF5 9RP

- 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 Emma Wood against the decision of City of Wakefield Metropolitan District Council.
 - The application Ref 21/01883/FUL, dated 19 July 2021, was refused by notice dated 23 February 2022.
 - The development proposed is the construction of a detached garage with associated studio space.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal relates to a semi-detached house and its garden space, on the west side of (and accessed from) Swithenbank Street in a residential part of Ossett. It has two storeys, and is of red brick with a hipped roof; in these respects it is similar to many other nearby dwellings, although there is a variety of scale, design, detailing and ages within the housing in the surrounding area. The space at the front of the property is surrounded by a brick wall approximately 1m high; it is primarily hardstanding and used for vehicle parking, although it also includes a small brick outbuilding close to the front wall. Gardens to the side and rear of the property have softer landscaping.
4. The proposed development is the construction of a detached garage with attached studio space at the western end of the ground floor, and a space at first floor level connected to the studio by internal stairs. The building would be approximately 6.8m deep and 10.4m wide, and would have a pitched gable roof with an eaves height of around 2.6m and a ridge height of around 5.3m. There would also be a canopy roof projecting for a further 2.5m or so beyond the studio end of the building creating a sheltered outdoor space. It would be located at the southern side of the front courtyard, and the existing outbuilding would be demolished to make way for the new building.

5. The proposed garage and studio building would be situated forward of the front elevation of the appeal property, contrary to advice in the Council's 2018 *Residential Design Guide Part 2: Guidance for Householders* Supplementary Planning Document ("the SPD") that garages "in highly prominent locations or [which] project forward of the front wall of the house" will not be accepted". The SPD also advises that "the scale, size, and design of a garage must be in keeping with the character of the house". Although I have not been provided with detailed measurements, it is evident from the submitted drawings that the footprint of the proposed garage and studio (not including the space which would be covered by the canopy roof) would approach that of the main dwelling; it would therefore be a very substantial addition to the site. The height necessary to provide useful space at first-floor level would also increase the bulk of the building.
6. The boundary hedge and trees within the front garden of No 13 would provide some visual screening when approaching along Swithenbank Street from the south, although this would be likely to be reduced at times of the year when the deciduous trees were not in leaf. The appellant also suggested in respect of the topography of the area that, as the appeal site is lower than No 13, the visual impact of the proposed development would be further limited. However, I saw on my site visit that the change in ground level between the two properties is in fact very small, and as such would have a negligible impact on how the appeal scheme would be seen.
7. Although there is a landscaped buffer with mature tree planting on either side of the A638 which passes under Swithenbank Street a short way to the north of the appeal site, the visual screening would again be limited throughout the winter months. In any case, the height and siting of the combined garage and studio building would make it a prominent feature when approaching from the north, as it would be clearly seen behind the outbuilding in the front garden of No 9. It would also dominate the space in front of the appeal property when seen from the footpath leading towards Swithenbank Street from Bretby Avenue to the east.
8. The appellant referred to other outbuildings in nearby front gardens, which I was able to view during my site visit. Although prominently sited in the front garden, the outbuilding at No 9 (referred to above) is much smaller in all dimensions than the building proposed in this appeal. The outbuilding at No 19 (a short distance to the south) appears to be considerably smaller than the appeal proposal; it presents stark brick elevations to Swithenbank Street and a small grassed area at the junction with Bridle Lane, and in my view does not represent a positive addition to the character or appearance of the area. Neither of these other examples provides a justification for allowing the large, prominent and intrusive building proposed here.
9. The appellant has also drawn my attention to two other cases where the Council has granted planning permission for garages in front of dwellings, at 57 Leeds Road (LPA Ref: 22/00056/FUL) and 643 Barnsley Road (LPA Ref: 21/02777/FUL). Based on the drawing extracts provided, the garages permitted in these other cases would be much smaller (in proportion to the main dwelling) than that proposed here. The Council's officer report in respect of 57 Leeds Road stated that "the proposed garage would be of an appropriate scale" and "would not result in overdevelopment of the site"; for the reasons I have set out above, I do not consider that to be the case here. No information

beyond a couple of drawings was provided in respect of 643 Barnsley Road. While I note the appellant's suggestion that the Council has not been consistent in applying its own guidance, I cannot reasonably draw that conclusion based on the very limited evidence before me. Again, these other examples do not therefore carry weight in favour of the appeal proposal.

10. Finally, I note the appellant's argument that they have been "penalised" by the Council "purely on the basis of the layout of their property". It was explained that there is not room at the rear for a garage which could be safely accessed from Bridle Lane (which the rear garden backs onto), that the space at the side of the house is used for private recreation and would be constrained by the presence of windows on the side of No 13, and that the front space (where the house is set back from the highway by around 15m) is therefore the only place where vehicles can be parked or a garage could be erected. However, even if I were to accept all of these arguments, they would not amount to a justification for such a large and dominant building as has been proposed in this case.
11. Notwithstanding its concerns about the scale and siting of the proposed building, the Council considered that the detailed design and proposed materials for the garage and studio would be acceptable. It also considered that there would be no unacceptable harm caused to living conditions either for neighbours or for occupiers of the appeal property. None of the evidence before me, or what I saw on my site visit, leads me to a different view on these matters. However, this does not outweigh the harm which I have found.
12. I conclude that, because of its siting and scale, the proposed development would be a prominent and intrusive building, and so would be harmful to the character and appearance of the area. The proposal therefore conflicts with Policy CS10 of the 2009 Wakefield Core Strategy, and with Policies D9 and D10 of the 2009 Wakefield Development Policies Document. Together, and among other things, these policies require new development (including residential alterations) to be well-designed and appropriate to their surroundings in scale, massing and layout. For the same reasons, the proposal conflicts with the requirements set out in Chapter 12 of the National Planning Policy Framework which seek to achieve well-designed places.

Conclusion

13. The scheme conflicts with the development plan taken as a whole. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

M Cryan

Inspector