

Appeal Decision

Site visit made on 13 May 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th May 2024

Appeal Ref: APP/X4725/D/24/3341045

57 Speak Close, Wakefield, West Yorkshire WF1 4TG

- 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 Sreekala Ampiyil Govindan Nair against the decision of Wakefield Council.
 - The application Ref 23/02011/FUL, dated 5 October 2023, was refused by notice dated 14 February 2024.
 - The development proposed is a container with wooden panelling cladding.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect on the character and appearance of the area; and the effect on the living conditions of the residents of 59 Speak Close with regard to outlook.

Reasons

3. The appeal relates to a shipping container that has been clad in timber and is already situated to the side of the house. It has a uniform height of 2.63 metres. Although set back slightly from the front of the house, it is clearly evident from the turning head of this cul-de-sac. As the house is raised above the level of the road, the clad container is even more prominent in views from the street. As there is no roof apparent above the timber cladding, it has the appearance of a high timber enclosure.
 4. The properties in Speak Close generally have open plan front gardens, many of which have no boundary treatments. Others have hedges or other planting between them. The only example of high fencing that I encountered related to the sides of the footpath that passes between houses much further up the cul-de-sac. That fencing is only about half the height of the timber cladding. Given these characteristics, the height of the cladding appears entirely intrusive in this setting. The light colour of the timber emphasises its incongruous height. If the doors were open, the nature of the shipping container would become even more apparent. At present, it has an entirely unsatisfactory appearance that detracts from the character and appearance of this cul-de-sac.
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5. It is proposed that some planting would take place to the side of the container. There is very limited space for this but in any event, this would not significantly alter the perception of this structure. It would remain harmful to the character and appearance of the area, even with planting added. It represents poor design in this context and conflicts with the design aspirations of policies SP23(1b), LP56c and LP57d of the Wakefield District Local Plan 2024. It also conflicts with the design aspirations of Supplementary Planning Document: Residential Design Guide 2018. The National Planning Policy Framework 2023 is clear that development that is not well designed should be refused.
6. Concerns have been raised regarding the impact of the structure on the living conditions of the neighbouring residents at 59 Speak Close. It bounds their parking area and is at a slightly higher level. It is clearly visible from the front windows of the house. Whilst the structure is unneighbourly, this is due to its character and appearance rather than it being overbearing. I am not satisfied therefore that it is unacceptably harmful to the living conditions of the neighbouring residents as a result of the change in outlook. The experience of its unsatisfactory appearance is however greater for the neighbouring residents than for those experiencing it from the road.
7. The appellant has suggested that a structure could be built in this position without the need for formal consent. It would be limited to a height of 2.5 metres which is not significantly lower than the container. I am aware of the potential to use permitted development rights but I am not satisfied that an alternative building would be as harmful.
8. I have had regard to the matters put forward by the appellant and I have concluded that the works would not be unacceptably harmful to the living conditions of the residents of 59 Speak Close with regard to outlook. However, I also conclude that the harm to the character and appearance of the area is unacceptable and the matters in favour of the proposal do not outweigh this concern. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR