

Appeal Decision

Site visit made on 15 July 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2024

Appeal Ref: APP/X4725/D/24/3345690

41 Buckthorne Road, Normanton, Wakefield WF6 2FH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Craig Morewood against the decision of Wakefield Council.
 - The application reference is 24/00165/FUL.
 - The development proposed is a summerhouse.
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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 30 Oak Way, 2 Oak Mews and 39 Normanton Road with regard to outlook and light.

Reasons

3. The building has already been erected. Although the council's concerns refer to the impact on 30 Oak Way, other concerns have been raised by third parties. I have included as main issues, the impact on the residents of the other immediately adjoining properties, 2 Oak Mews and 39 Normanton Road; together with the effect on the character and appearance of the area.
 4. The design and materials of this building are not uncommon within rear gardens. However, this building is significantly higher than the surrounding high garden fences. As a result, it is clearly evident from Oak Way, between 2 Oak Mews and 30 Oak Way. Although less prominent, it also stands out, above the high fences to the rear of the Oak Mews properties, when viewed from the footpath that runs parallel with Redruth Drive. Due to its height, it detracts from the character and appearance of this area.
 5. The gardens of these properties are of only modest in size and the structure comes close to the boundaries with its three immediate neighbours. It is extremely prominent when in the gardens of these properties due to its considerable height above the high boundary fences. It represents an intrusive and overbearing feature that is harmful to the living conditions of the neighbouring residents due to the loss of outlook from their rear gardens. It is
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also very close to the living accommodation to the rear of 30 Oak Way and reduces the outlook from the rear accommodation within that property.

6. Although shading has been raised as a concern by the council, I am not satisfied that the reduction in direct sunlight would be such that living conditions would be unacceptably harmed.
7. The development is contrary to policies LP56(c&n) and LP57(a) of the Wakefield District Local Plan 2036 (2024) as these require that development should not be overbearing; and should make a positive contribution to the environment and amenity of its locality. There is also conflict with the Wakefield District Residential Design Guide: Supplementary Planning Document 2018 as it fails to respect neighbouring developments. It also conflicts with the National Planning Policy Framework 2023 as it does not result in a high standard of amenity for neighbouring residents and detracts from the overall quality of the area.
8. I have had regard to the letter from the neighbouring resident, submitted by the appellant, which does not raise issues regarding the building but raises concerns about previous submissions to the council. I am also mindful of the appellant's submissions and accept that there would be no unacceptable loss of privacy or sunlight. However, I am not satisfied that there are any matters that are sufficient to outweigh my concern that the building detracts from the character and appearance of the area and reduces outlook from neighbouring properties. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR