



Appeal Decision

Site visit made on 17 December 2024

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 February 2025

Appeal Ref: APP/X4725/W/24/3349239

102 Doncaster Road, Wakefield WF1 5JF

- 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 A Zaraie against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 24/00485/FUL.
 - The development proposed is the temporary retention of 2no single storage container units to the front and rear of the convenience store for a period of 3 years.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the consideration of the planning application for the siting of one storage container, the Council advised the appellant that a second storage container on the site also required planning permission. The planning application was therefore amended to include both storage containers and the description of development was changed accordingly. Consequently, the description of development in the banner heading above is taken from the Council's decision notice and the appellant's appeal form.
3. Both storage containers are sited on the appeal site. Therefore, the development is retrospective. I have determined the appeal on this basis.
4. The submitted drawing shows signage attached to one of the containers. The signage was in-situ when I undertook my site visit. Advertisement consent is a separate consenting regime under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and therefore, it falls outside the scope of this appeal.
5. The present appeal scheme follows a previous appeal¹ at the site for a hot food takeaway kiosk and two storage containers stacked on top of each other. While I have had regard to the previous appeal decision, I have determined the current development on its own merits.

Main Issue

6. The main issue is the effect of the development on the character and appearance of the surrounding area.

¹ Appeal Ref APP/X4725/W/23/3322031

Reasons

7. The appeal site is triangular-shaped and located on the corner of Doncaster Road and Denmark Street. It contains a single storey detached convenience store and associated surface parking, demarcated by a dwarf wall and railings. Doncaster Road is a busy thoroughfare with a mix of commercial and residential properties, while Denmark Street is a quieter road consisting of two-storey dwellings and three-storey blocks of apartments.
8. Planning permission is sought for the siting two metal storage containers with a dark green finish for use in connection with the convenience store.
9. One container is positioned with its longer elevation adjacent to Denmark Street with no intervening boundary treatment. It is sited beyond the existing convenience store building and is in line with 7 Denmark Street. As such, it is highly visible from both Denmark Street and Doncaster Road. The second container is positioned with its longer elevation adjacent to Doncaster Road. It is set behind the existing boundary railings; however, their limited height and open design afford it minimal screening. It is sited forward of the adjacent terrace of two-storey dwellings and therefore, is highly prominent in views along Doncaster Road.
10. The storage containers have an industrial, box-like appearance that contrasts with the buildings in the vicinity of the appeal site that are predominantly constructed of brick and render and have pitched roofs. Consequently, the storage containers appear incongruous and harm the visual amenity of the surrounding area.
11. I have been directed to a planning approval² for a flat roofed extension to the convenience store that would be in a similar location as the storage container sited adjacent to Denmark Street. The approved extension would also be larger than the storage container. However, the approved extension was to be constructed of materials to match the existing building and would not be industrial in appearance. Consequently, it is not directly comparable to the appeal proposal.
12. The appellant suggests the external appearance of the storage containers could be altered. However, no details outlining what this could entail have been provided for my consideration.
13. I acknowledge the development seeks permission for three years and therefore, the visual harm I have identified could be temporary. The Planning Practice Guidance³ ("PPG") outlines the circumstances when a temporary permission may be appropriate as: *"where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period"*.
14. A *"trial run"* is not required to assess the effect of the development, as I have already found that it would be visually harmful to the surrounding area. The information before me suggests that storage containers have been on the appeal site since December 2019, and I do not have any substantive evidence before me that the planning circumstances of the appeal site will change at the end of the three-year period. Consequently, a temporary permission would be inappropriate.

² Planning Ref 19/01342/FUL

³ Planning Practice Guidance: Use of planning conditions, Paragraph: 014 Reference ID: 21a-014-20140306

15. Even if the temporary period was for less than three years, the circumstances within the PPG for temporary permissions would not be met for the reasons previously detailed.
16. In reference to the main issue, the development would harm the character and appearance of the surrounding area. It would conflict with Policies SP23 and LP56 of the Council's Local Development Framework Development Policies, adopted 2009 which, amongst other things, seek to ensure that new development will protect and enhance local character and distinctiveness taking local building traditions into account; make a positive contribution to the environment by virtue of high quality design; and respect, and where appropriate enhance, the character and overall quality of the locality in terms of design, scale, massing, layout, materials and colour over the lifetime of the development.

Other Matters

17. It is asserted that the storage containers are important to maintain the economic viability of the existing business and they provide a practical and commercially viable solution at a time of continuing difficult and uncertain trading. However, this has not been substantiated with evidence.
18. The appellant asserts that the previously approved extension was not constructed as they could not employ builders to undertake the work within the necessary timescale. I am unsure what timescale is being referred to or why it was not possible to employ builders after the permission was granted. However, this does not authorise an unacceptable form of development.
19. I acknowledge the development did not garner widespread concern from interested parties. However, an objection raised concerns regarding the development's visual effect on the area. Furthermore, I must determine the development against the development plan.

Conclusion

20. For the reasons given above, having regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

A Berry

INSPECTOR