
Appeal Decision

Site visit made on 7 January 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 February 2025

Appeal Ref: APP/X4725/D/24/3356117

197 Park Lodge Lane, Wakefield WF1 4HY

- 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 Talub Hussain against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 22/02400/FUL.
 - The development proposed is described as ‘amendments to approved rear 2 storey extension, front boundary wall.’
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. The description above is taken from the application form. The decision notice also refers to a retrospective application for a 2.5 storey side and rear extension, single storey rear extension and loft conversion with rear dormer and boundary walls to front. The application form also confirms the retrospective nature of the appeal scheme which the Council acknowledge. At the time of my site visit, the development was part constructed. The proposal does not include the part constructed front extension at the site. I have proceeded on this basis.
4. Although the appellant has highlighted that their application was submitted in 2022, my recommendation is based upon the current development plan policies including the Wakefield District Local Plan 2036 which was adopted in January 2024. This was the development plan as referred to in the Council’s reasons for refusal.
5. The appellant has referred to amendments that would incorporate a hedge within the front boundary wall. However, the appeal process should not be used to evolve a scheme. In the interests of fairness for all parties, I have considered the scheme as it was submitted to the Council incorporating timber infill panels.

Main Issues

6. The main issues are the effect of the proposal upon a) the living conditions of the occupants of 195 Park Lodge Lane (No.195) and 199 Park Lodge Lane (No.199) with particular regard to outlook and b) the character and appearance of the area.

Reasons for the Recommendation

Living Conditions

7. Properties within the area are generally semi-detached and set closely side by side in line with one another with narrow rear gardens. The appeal property is attached to No.195 and alongside No.199. Land levels slope down substantially on Park Lodge Lane and therefore No. 199 is set lower than the appeal site.
8. The proposal would introduce a very high mainly featureless wall close to No. 199. The somewhat looming effect of the height, proximity and run of the extension would appear overbearing to users of the rear conservatory and the garden of No.199. Its scale and plainness along with the higher land levels of the appeal site would be oppressive and garner a strong sense of enclosure for the neighbouring occupants detrimentally affecting their outlook. The extension would run at direct right angles to the rear elevation of No. 199 which would also have an unacceptable overbearing effect to the outlook experienced from its rear windows.
9. The single storey aspect of the proposal would be positioned closest to No. 195 but would not harm the living conditions of the occupants. This is because No.195 is raised slightly higher and the single storey aspect only extends out a small proportion of the overall length of the garden. However, although the two-storey aspect is set further away, given its vast size, it would have a domineering effect over the garden of No.195 and would therefore also be overbearing for users of the garden, detrimentally affecting the outlook for users.
10. The proposal would therefore cause harm to the living conditions of the occupants of No. 195 and No.199 contrary to Policy LP57 of the Wakefield District Local Plan 2024 which is concerned with alterations to dwellings not causing significant harm to amenity amongst other things.

Character and Appearance

11. There is a sense of uniformity to Park Lodge Lane where properties are generally gable ended and semi-detached, stepped back in line with one another with small front gardens and separated from the pavement by stepped down low level fencing or hedging. There is a pleasant sense of simplicity to the properties that also are constructed using similar materials. To the rear, land levels slope away from the dwellings allowing views of the playing fields behind along with views of the lower properties on Park Lodge Lane creating a spacious feel.
12. Whilst not immediately obvious due to it being set back from the host dwelling's frontage, the proposed rear and side extension would create a tower like structure to the rear of the property that would dominate the host building due to its increased height. The proposed development would be visible from the wider area to the rear due to the sloping land levels of the site having an imposing presence over the groups of semi-detached properties. The side and rear 2.5 storey extension would have undue prominence against the surrounding properties and would detrimentally affect the character and appearance of the area.
13. The proposal would also introduce a wall along the front boundary of the property at a consistent height taller than the closest boundary treatments. The pillars of the wall would be infilled with timber panels that would create a tall block to the front of

the property. The boundary treatment would stand out unacceptably which would be further exacerbated with the use of render.

14. The proposal would therefore detrimentally affect the quality of the area's consistency and thus the character and appearance of the area. It would be contrary to Policy LP57 of the Wakefield District Local Plan 2024 which is concerned with development not resulting in harm to the character of an area amongst other things.

Other Matters

15. I am aware of what appears to be an extant planning permission for alterations to the property. However, the approved plans show something smaller in height than what is being applied for to effectively retain here. This fallback position does not therefore change my findings. In addition, the Council have highlighted an error on the elevational drawing that does not show the bathroom window in the side elevation. I am assuming that this was an error, and it should show the window at first floor level. I have in any event made my recommendation based upon the presence of the window as a 'worst case' scenario'. Either way, this has not affected the substance of the main issues.

Conclusion and Recommendation

16. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR