



Appeal Decision

Site visit made on 21 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: 4th March 2025

Appeal Ref: APP/X4725/W/24/3351617

67 Womersley Road, Knottingley, Wakefield WF11 0DL

- 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 Charlie Wilson against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 24/00544/FUL.
 - The development proposed is the change of use of land for the siting of 10 static caravans for residential park home occupation and associated operational development (internal infrastructure works for access and parking) following demolition of existing 3no. pig shed buildings (Part retrospective).
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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. Whilst the above description reflects the original submission, the scheme was amended during the life of the application and reduced by one unit. I have considered the appeal accordingly. In addition, and prior to the decision on the appeal, a revised National Planning Policy Framework (Framework) was published. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.

Main Issues

4. The main issues are the effect of the proposal on a) the living conditions of neighbouring occupiers with specific regard to privacy and future occupiers with specific regard to adequate accommodation; and b) the character and appearance of the area.

Reasons for the Recommendation

Living Conditions

5. The appeal site is surrounded by residential properties on all sides. The site is relatively flat but land levels dramatically lower to the closest properties on The

Poplars and 69C (No. 69C) and 69D (No. 69D) Womersley Road. The properties are situated close to the appeal site.

6. The proposal would introduce static caravans to the site where the land is higher than the ridge of the closest neighbouring dwellings. Furthermore, due to the size of the appeal site and the number of units proposed, it would be more likely than not that some of the caravans would be positioned near to the rear boundaries of No. 69C, No. 69D and dwellings situated on The Poplars. The number of caravans proposed would unavoidably bring far more human activity to the site than the previous use which would be further exacerbated by their proposed permanent residential occupation. Due to the land levels, users of the site would be able to directly see into the gardens and rear windows of No. 69C, No. 69D and properties situated on The Poplars. This would create an unacceptable loss of privacy.
7. I have not been provided with any compelling evidence to demonstrate why the caravans would provide inadequate units of residential accommodation. The expectation of an occupier would be fundamentally different when compared to other types of more conventional dwellings. It would therefore be unrealistic to apply the same assessment to mobile units. Furthermore, the Council do not refer to Policy LP3 of the Wakefield District Local Plan 2024 (LP) within their reason for refusal and do not appear to relate the alleged harm to living conditions for future occupants to the policy. In any event, the caravans would be licenced under separate legislation and the Council confirm that they have no policies that specifically relate to amenity standards therefore. With all this in mind, it does not strike me that there would be harm to the living conditions of the future occupiers of the caravans.
8. Nevertheless, given the harm that I have found to the living conditions of the neighbouring occupants, the proposal would be contrary to Policies LP56 and LP67 of the LP which are concerned with development not having a significant detrimental impact upon the amenity of neighbouring residents amongst other things.

Character and Appearance

9. The appeal site includes a detached dwelling and former agricultural buildings. It sits within an area that is predominantly residential but there are some industrial and commercial sites close by. There are a range of different house types close to the site and combined with the other nearby uses, the character and appearance of this part of Womersley Road has a sense of variety. The site extends back from Womersley Road and is therefore mostly screened from obvious public views.
10. The proposal would provide a different offer than the nearby conventional housing however the area is predominantly residential and therefore the use of the site for residential caravans would not be out of place. Property layout varies considerably around the site and therefore the proposed development would not be inconsistent. The relatively low profile of the static caravans means that they would not be dominant in the street scene. The access and landscaping would be the most visible part of the scheme and therefore given the limited space available, most of the caravans would need to be stepped further back within the site. Combined with the opportunity for additional landscaping, the proposal would therefore arguably be a visual improvement to the area given its former use as an agricultural yard.

11. Although the proposed development would be different to that which currently surrounds the site, I struggle to find that this would equate to harm to the character and appearance of the area for the reasons I have set out. The proposal would therefore accord with Policies LP56 and SP23 of the LP which are concerned with development being appropriate for its location amongst other things.

Other Matters

12. Of the examples of other appeal decisions that I have seen, none of them are directly comparable to this scheme and they do not change my findings above regarding living conditions. The appeal is part retrospective, and some caravans are being permanently occupied already however any unauthorised occupation of the site would not justify the harm that I have identified above and would, in any case, be a matter for the Council to address should they feel action is required.

Conclusion and Recommendation

13. Whilst I have found a lack of harm relating to the second main issue, this would be neutral and thus incapable of weighing in favour of the appeal scheme. I have found that there would be harm and subsequent development plan conflict regarding the first main issue. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance therewith. I therefore recommend the appeal be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

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

John Morrison

INSPECTOR