



Appeal Decision

Site visit made on 4 February 2025 by J Reed MPlan

Decision by R Hall BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 April 2025

Appeal Ref: APP/X4725/W/24/3352079

14 Borrowdale Drive, Castleford, Wakefield WF10 2NU

- 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 Ryan Wilson against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 22/01759/FUL.
 - The development proposed is workshop with attached living accommodation.
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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 revised National Planning Policy Framework was published in December 2024. I have considered the changes and as they are not material to the proposal, further comments were not sought by the parties.

Main Issue

4. The main issues are:
 - whether the proposal would provide suitable living conditions for its future occupants, with regard to private outside space; and
 - the effect of the proposal on the living conditions of neighbouring occupants, with particular regard to light, outlook and privacy.

Reasons for the Recommendation

Living conditions of future occupants

5. The Wakefield District Residential Design Guide Supplementary Planning Document Part 1 (2018) ('the SPD') outlines that garden sizes should be a minimum of 75 square metres (sqm). Whilst an area over the minimum threshold of the SPD has been provided, the submitted plans show a narrow strip of land to the sides and rear of the proposed dwelling. As such, this outside space would be cramped and oppressive due to its situation between the high boundary fencing and the proposed dwelling. Thus it would not provide suitable outside space for future occupants to relax and enjoy. I acknowledge that the appellant owns the

wider site. However, it has not been demonstrated how that would enable sufficiently private and good quality outside space to be provided for future occupants here.

6. Therefore, the proposal would not provide suitable living conditions for its future occupants, with regard to outside space. Consequently it would conflict with Policy LP56 of the Wakefield Local Plan 2036 (2024) (Local Plan). This seeks to ensure proposals provide acceptable living conditions for future users.

Living conditions of neighbouring occupants

7. No substantive evidence is before me to indicate that the proposal would result in unacceptable shading of neighbouring gardens. However, the proposal would appear as a large building with a featureless brick elevation from the rear of Nos 95 to 101 Watling Road. Aside from first floor windows, the proposal would also appear largely featureless from the rear of Nos 4 and 6 Borrowdale Drive. This would be emphasised by its position close to their rear boundaries and would extend along most of the width of their gardens. Consequently, it would dominate views from their rear gardens to the extent that it would unacceptably reduce the quality of the outlook from the rear of these dwellings and create an oppressive environment.
8. In addition, the appeal scheme would result in first floor bedroom windows directly facing the rear garden of No 4 Borrowdale Drive at relatively close range. This would result in an unacceptable sense of being overlooked for the occupants of No 4, harming their living conditions. Obscure glazing of those windows would likely result in unacceptable living conditions for occupants of that bedroom, by removing their outlook. No substantive evidence indicates otherwise. Whether or not it would achieve the separation distances envisaged in the SPD, for the reasons given, the proposal as submitted would not achieve good quality design here.
9. Therefore, the proposal is acceptable with respect to its effect on the living conditions of neighbouring occupants with respect to light. However, it would unacceptably harm the living conditions of the occupants of Nos 95 to 101 and No 4 and 6 with respect to outlook. It would also unacceptably harm the living conditions of the occupants of No 4 with respect to privacy. Consequently, it would conflict with Policy LP56 of the Local Plan. This includes a requirement that proposals avoid significant harm to the living conditions of neighbours. It would also conflict with Policy SP23 of the Local Plan which generally seeks to ensure developments achieve high quality design, including ensuring the scale of proposals are appropriate to their location.

Other Matters

10. Concerns have been raised regarding the Council's conduct during the application stage. Nevertheless, that is a separate matter that does not affect my recommendation on the planning merits of the appeal scheme.

Conclusion and Recommendation

11. For the above reasons, having considered the development plan as a whole, the Framework and all other relevant material considerations, I conclude that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

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

R Hall

INSPECTOR