



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: 3 April 2025

Appeal Ref: APP/X4725/D/24/3354917

7 Mill Chase Croft, Wakefield WF2 9SJ

- 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 Mrs Tabasam Riaz against the decision of Wakefield Metropolitan District Council.
 - The application Ref is 24/00987/FUL.
 - The development proposed is 2 storey rear extension 2No dormers and loft conversion.
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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. Notwithstanding the description in the heading above which is from the original planning application form, the proposal is more accurately described as 'first floor extension to rear. Loft conversion consisting of 2 dormers to side and alterations to form new windows'. That is consistent with the description on the Council's decision notice. The appeal is determined on that basis.

Main Issues

The main issues are:

- the effect of the proposal on the character and appearance of the site and surrounding area; and
- the effect of the proposal on the living conditions of neighbouring occupants, with particular regard to outlook, light and privacy.

Reasons for the Recommendation

Character and appearance

4. The appeal dwelling is a two-storey end of terrace property, in a residential area characterised by other terraced properties. It is one of a number of terraces that appear to have been built at a similar time, to a similar typology. Notwithstanding the ground floor extension to the appeal dwelling, the first floor roof of the appeal dwelling has a pleasing sense of symmetry with the remainder of its terrace. This

contributes positively to the street scene on Henry Street where there is also a high degree of consistency in building form and roof lines. There, the uniformity of the traditional terraced properties with simple pitched roofs is a defining positive feature of the character and appearance of the area. The simple pitched roof of the appeal building that fronts on to Henry Street makes a positive contribution to that character.

5. The proposed dormer windows would appear as a prominent addition to the roof slope onto Henry Street. These would appear at odds with the simplicity of roof form there, and in the wider area, where dormer projections in the roof slope are not a characteristic feature. Due to the site's proximity to Henry Street, the dormers would be highly visible when approaching on Henry Street from Alverthorpe Road.
6. In addition, the first floor rear extension would appear as an overly large and bulky addition, resulting in the loss of symmetry within the appeal site terrace which would be notable on Henry Street. Although the proposal would use matching materials, the proposal as a whole would not respond positively to the character of the appeal site or its surroundings.
7. Therefore, the proposal would harm the character and appearance of the site and surrounding area. Thus, it would not comply with Policies SP23, LP56 and LP57 of the Wakefield District Local Plan 2036 (2024) (Local Plan). These policies generally seek to ensure proposals are designed to be appropriate to their location in terms of scale and density.

Living Conditions

8. The appeal scheme would result in two storey development adjoining the boundary with No 5 Mill Chase Croft. From the nearest habitable room windows on the rear of that property, the proposal would appear as a substantial, bulky addition, limiting their outlook through to Henry Street. As such, it would be an oppressive addition to the extent that it would harm their living conditions. Furthermore, given the scale of the proposal and its proximity to No 5, it appears highly likely that the proposal would result in a harmful loss of day light to the nearest ground and first floor window at the rear of No 5. I note that the Council found that the proposal would breach the 45 degree rule for both the nearest ground and first floor windows at No 5.
9. The Council also raised concerns regarding the impact upon No 27 Mill Chase Croft in regard to overshadowing and loss of light. However, due to the gap between the properties and relative orientation I am not persuaded that any shading or loss of light in the house or garden of No 27 would be to the extent that it would harm the occupants' living conditions. Nonetheless, the proposal would bring habitable room windows on the appeal building much closer to the boundary with No 27. Consequently, the proposal would result in an unacceptable sense of overlooking in the garden of No 27.
10. Therefore, the proposal would result in harm to the living conditions of the occupiers of No 5 with regard to outlook and light. It would also harm the living conditions of the occupants of No 27 with regard to privacy. As such the proposal would conflict with Policies SP23, LP56 and LP57 of the Local Plan. Amongst other matters these seek to ensure that proposals achieve high quality design, including ensuring proposals are appropriate to their location.

Other Matters

11. I note the appellant's desire to create more usable space for their family. I note also some letters of support for the proposal. However private benefits and a degree of support for the proposal are not sufficient to outweigh the harm that I have identified in relation to the main issues. Regarding other approved extensions in the area referenced by the appellant, insufficient details of these are before me to make a meaningful comparison.

Conclusion and Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

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

R Hall

INSPECTOR