

Appeal Decision

Site visit made on 9 November 2016

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 November 2016

Appeal Ref: APP/Z4718/D/16/3159204

23 Midway, South Crosland, Huddersfield HD4 7DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Wilson against the decision of Kirklees Metropolitan Council.
 - The application Ref 2016/62/91438/W was refused by notice dated 4 July 2016.
 - The development proposed is the erection of a garage extension.
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Decision

1. The appeal is dismissed.

Main issue

2. The site falls within the Green Belt. The Council considers that the proposal would not represent inappropriate development in the Green Belt as defined in development plan policy and paragraph 89 of the National Planning Policy Framework (the Framework). I concur with that position. Therefore, the main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The appeal property is a semi-detached 2-storey house within a mainly residential area. It lies within the South Crosland Conservation Area (CA), within which buildings vary in style, age and size as the appellant's photographs show. Along Midway in the vicinity of the site some properties include frontage buildings that are close to the road. Even so, most properties are set back from the highway behind gardens and reasonably open frontages, which collectively give a spacious feel to the local street scene.
 4. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 5. The proposal is to erect a new single storey extension at the front of the house with additional paving to the front garden. The new porch element would have a short mono pitched roof and extend across about one half of the front façade. The new garage component would connect with and stand further forward of the new porch and include a dual pitched roof. External materials would match those of the host building.
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6. Taken together, the new porch and garage would be a sizeable front addition. The proposed extension could not reasonably be described as relatively small in scale to which Policy BE14 of the Kirklees Unitary Development Plan (UDP) refers. Furthermore, the new extension would be placed to one side of the front façade and significantly forward of the main front wall. In this position, the scale and forward projection of the extension would cause it to unduly disturb the flat and balanced façade of the host building. As a result, it would detract from the intrinsic character and appearance of the appeal property.
7. As the proposed garage would extend a significant way to the site's front boundary, it would stand out prominently in relation to the existing dwelling and the properties on either side. In oblique views from the road close to the site's entrance, the proposed garage would be obtrusive due to its size and position notwithstanding the partial screening provided by an adjacent boundary wall. From these public vantage points, the new garage would appear as an incongruous intrusion into a relatively open space at the front of No 23 even in the context of varied built form along this section of the road.
8. The effect of the proposal on the presence of the neighbouring property, which is 19 Midway, the traditional style of which adds to the CA would be modest given that a stepped wall partly separates these properties. Even so, the introduction of a sizeable new building in front of No 23, as proposed, would appear as a discordant addition that would noticeably reduce the sense of space in the local street scene. Consequently, the proposal would detract from and thus fail to preserve the character and appearance of the CA, to which I attach considerable importance and weight.
9. Reference is particularly made to a nearby property that includes a block of garages close to the highway. This block is conspicuous from the road and forms part of the character of the area. Nevertheless, sizeable front garages that attach to the front of dwellings are not a strong or prevailing characteristic of the local area. Furthermore, it is a central principle of the planning system that every proposal should be considered on its own merits, which I have done.
10. The harm caused by the appeal scheme on the significance of the CA as a designated heritage asset would be less than substantial. In those circumstances, the Framework advises that the harm should be weighed against the public benefits. Constructing the new development would positively contribute to the local economy through the provision of jobs and the sale of construction materials. However, these public benefits do not outweigh the significant harm that I have identified.
11. On the main issue, I conclude that the proposed development would have a detrimental impact on the character and appearance of the local area. Accordingly, it would not comply with UDP Policies BE1, BE2, BE5 and BE14. These policies aim to ensure that development achieves good quality design, creates or retains a sense of local identity, is in keeping with surrounding and does not prejudice visual amenity or the character of the area.
12. It also fails to comply with the Framework, which emphasises the importance of securing high quality design. It also notes that development should respond to local character, add to the overall qualities of an area and safeguard designated heritage assets such as conservation areas.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR