
Appeal Decision

Site visit made on 19 December 2016

by Nigel Harrison BA (Hons) MRTPI

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

Decision date: 21st December 2016

Appeal Ref: APP/Z4718/D/16/3159742

1 Cawthorne Avenue, Fartown, Huddersfield, HD2 2QJ

- 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 M Javid against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref: 2016/62/92039/W dated 8 June 2016, was refused by notice dated 15 August 2016.
 - The development proposed is a single-storey front extension with additional balcony.
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Decision

1. The appeal is allowed and planning permission is granted for a single-storey front extension with additional balcony at: 1 Cawthorne Avenue, Fartown, Huddersfield, HD2 2QJ in accordance with the terms of the application, Ref: 2016/62/92039/W dated 8 June 2016, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan at 1:1250 scale, and Plan dated 18 August 2014 at 1:50 and 1:100 scale (as amended on 16 June 2016 showing balcony to front increased in size).

Background and Main Issue

2. Planning permission has already been granted for a single-storey front extension (projecting forwards by 1.6m), a hipped roof to the garage, a front-facing dormer window, and the facing of the front elevation in natural stone¹. In this approved scheme the front extension is shown with a lean-to roof extending the full width of the frontage. In place of the lean-to roof, the revised proposal before me shows a flat roof across the frontage forming a balcony, with a 1.1m high stone balustrade to the balcony front and side returns. The other elements of the approved scheme (dormer window, garage roof, stone cladding) remain unchanged.
3. The Council has raised no objections to the garage roof, dormer window, and stone cladding, or to the *principle* of a front extension. Given the separation distances, it has also raised no objections to the effect of the proposal on the living conditions of the occupiers of neighbouring properties. Based on my own observations I find no reason to disagree, and consider the one main issue in this case is the effect of the proposed front extension/balcony on the character and appearance of the host dwelling and surrounding area.

¹ 2014/92730

Reasons

4. The appeal concerns a detached property in an elevated position at the junction of Richmond Avenue and Cawthorne Avenue on a corner plot. The property fronts Cawthorne Avenue which mainly comprises rendered semi-detached houses following a fairly uniform building line, although there is a hipped roof detached bungalow immediately to the south facing the side elevation. More traditional and older terraced houses are found on Richmond Avenue. The area generally has a spacious open appearance. However, to my mind, due the many and varied house types and styles it exhibits no strong prevailing character or especially local distinctiveness.
5. The *National Planning Policy Framework* requires local planning authorities to encourage high quality design. However, it also says policies and decisions should not attempt to impose architectural styles or particular tastes, should avoid unnecessary prescription of detail, and should concentrate on guiding the development in relation to neighbouring buildings and the area generally. Amongst other considerations, saved Policy BE1 of the *Kirklees Unitary Development Plan* (UDP) requires all development to (i) create or retain a sense of identity in terms of design, scale, layout and materials, and (ii) respect the local topography. Policy BE2 has similar aims, and says (i) new development should be in keeping with its surroundings. Policy BE13 specifically concerns extensions, and says these should respect the design features of the existing house and adjacent buildings. Policy BE14 says, amongst other considerations, that extensions will normally be permitted unless they would have a detrimental effect on visual amenity.
6. The proposed development was near completion at the time of my site visit with only the stone balustrade to the balcony and garage roof remaining to be completed. The Council says the revised arrangement would introduce a large, prominent balcony feature on the front elevation in a dominant position which would lead to the property appearing over-dominant and incongruous in the street scene. It adds that such features are not evident in the surrounding area, and as such would not reflect local distinctiveness.
7. However, in the context of the surrounding area I consider it would not significantly undermine the architectural integrity of the host dwelling and would respect the character of the area to which it relates. Although balcony features are not in evidence in the locality, I do not consider the incorporation of a balcony into the design is particularly harmful or sufficient reason to make the scheme unacceptable. Indeed, the approved scheme featured a recessed balcony to the centre part of the front elevation. Furthermore, the proposal to clad the front elevation in natural stone (which has already been carried out), is more in keeping with the local vernacular and the distinctiveness of the area generally. Compared with the approved scheme, I do not consider that the substitution of a balustraded balcony for a lean-to roof would make the proposal appear more dominant or incongruous in the street scene to any materially harmful extent.
8. Overall, I conclude that the proposed development would harmonise with the design of the host dwelling and respect the character and appearance of the surrounding area. As such, I find no conflict with saved UDP Policies BE1, BE2, BE13 and BE14.

9. I have considered the conditions put forward by the Council in the light of the advice in the *Government's Planning Practice Guidance*. As the development is substantially complete, a time condition relating to the commencement of development is not necessary. The suggested condition requiring matching materials is not needed as these are clearly shown on the submitted plans. However, a condition to secure compliance with the submitted plans is needed for the avoidance of doubt and in the interests of proper planning.
10. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

Nigel Harrison

INSPECTOR