The Planning Inspectorate

Appeal Decision

Site visit made on 15 March 2017

by J D Clark BA (Hons) MCD DMS MRTPI

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

Decision date: 30th March 2017

Appeal Ref: APP/Z4718/D/17/3168075
74 Rawthorpe Lane, Dalton, Huddersfield HD5 9NU

- 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 Muhammed Waseem against the decision of Kirklees Council.
- The application Ref 2016/62/93236/W, dated 19 September 2016, was refused by notice dated 15 November 2016.
- The development proposed is two storey side extension and single storey rear.

Decision

1. The appeal is dismissed.

Main Issue

2. I consider that the main issue is the effect of the two storey side extension on the character and appearance of the area.

Reasons

3. The proposal includes a rear extension but the Council has not raised any concerns about this. I also am not concerned about this. The boundary between Nos 72 and 74 is angled and the proposed two storey extension would be staggered to accommodate this angle. This would take the extension fairly close to the side boundary with No 72 leaving a narrow gap at the front. Its ridge height would follow the ridge line of the existing house and it would extend from the front to the rear of the house.

4. UDP Policy BE14[1] indicates that unless the proposal would have a detrimental effect on visual amenity, extensions to semi-detached houses will normally be permitted where is does not result in an undesirable terracing effect being established in relation to adjoining dwellings, amongst other things. Although the pair of semi-detached houses at Nos 74 and 76 differ in appearance to the pair of semi-detached houses at Nos 70 and 72, they are of a similar design and a terracing effect could occur. There is currently a generous gap between Nos 72 and 74 and this would be eroded. Due to the scale and proximity to the side boundary, the extension would appear imposing and have a harmful effect on the character and appearance of the area.

[1] Kirklees Unitary Development Plan Written Statement – Revised with effect from 28 September 2007 (UDP).

5. I note that an extension has been built to the side of No 78 but I have no information about this. I have taken all matters raised into consideration, including a number of other UDP policies that I have not mentioned here and I also note the concerns raised by the neighbour at No 76 but these do not alter my conclusion. I conclude that the two storey side extension would have a harmful effect on the character and appearance of the area, it would be contrary to Policy BE14 and therefore the appeal fails.

J D Clark

INSPECTOR