



Appeal Decision

Site visit made on 15 August 2017

by John Dowsett MA DipURP DipUD MRTPI

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

Decision date: 25th August 2017

Appeal Ref: APP/Z4718/W/17/3175159

493 Penistone Road, Shelley, Huddersfield HD8 8HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a grant of planning permission subject to conditions.
 - The appeal is made by Mr Pete Richardson against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref: 2016/62/93750/E, dated 24 October 2016, was approved on 10 April 2017 and planning permission was granted subject to conditions.
 - The development permitted is demolition of existing single storey rear extension and out building, and erection of single storey rear extension.
 - The condition in dispute is No. 2 which states that: The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
 - The reason given for the condition is: For the avoidance of doubt as to what is being permitted and so as to ensure the satisfactory appearance of the development on completion, and to accord with Policies D2, BE1, BE2, BE13 and BE14 of the Kirklees Unitary Development Plan and guidance given in the National Planning Policy Framework.
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Decision

1. The appeal is allowed and the planning permission Ref: 2016/62/93750/E for demolition of existing single storey rear extension and out building, and erection of single storey rear extension at 493 Penistone Road, Shelley, Huddersfield HD8 8HY granted on 1 April 2017 by Kirklees Metropolitan Borough Council, is varied by deleting condition 2 and substituting for it the following condition:

The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg no. 1592-D-20-001 - Location plan; Dwg no. 1592-D-20-002 - Existing site plan and ground floor plan; Dwg no. 1592-D-20-003 Revision B - Proposed site plan and ground floor plan; and Dwg no. 1592-D-20-004 Revision B - Existing and proposed elevations.

Procedural matter

2. During the determination of the planning application the Council altered the description of the proposal from that used on the planning application form. The revised description accurately sets out the development proposed and I note that the appellant has adopted this on the appeal form. I have therefore

also used the description from the decision notice for the purposes of the appeal.

3. The appeal, in effect, seeks to substitute an earlier drawing for that which has been approved. The grounds of appeal conclude that the appeal is to “revise the wording of condition 2 to allow the drawings showing the fully timber clad extension to be approved”. Drawings showing several iterations of the proposal were submitted with the appeal, however, the appellant subsequently confirmed that it was sought to substitute the version of the scheme shown on Drawing no. 1592-D-20-004, Revision B in place of the approved drawing. I have therefore considered the appeal on this basis.

Main Issue

4. The main issue in this appeal is whether the condition should be varied having regard to the effect on the appearance of the development on completion.

Reasons

5. Planning permission has been granted for a single storey flat roofed extension to the rear of the appeal building. The details that have been approved are shown on Drawing no. 1592-D-20-004, Revision D which is listed in the schedule of approved drawings on the decision notice. As permitted, the walls of the extension would be predominantly finished in vertically boarded timber cladding although the end elevation of the extension would also incorporate a stone plinth approximately 650mm high. This would not continue onto the side elevations of the extension.
6. The appeal building is a two storey, stone built, terraced property. The surrounding area consists of similar houses, mainly terraced in format with some detached and semi-detached properties. In the vicinity of the appeal site there are also a small number of larger former industrial buildings. Although there is some diversity in the architectural style of the houses, most of those in the immediately surrounding area are of a similar age to the appeal building and share features such as dressed stone window heads and sills, stone door surrounds, masonry corbel gutter supports, similarly proportioned window openings and low stone boundary walls, which give the street frontages of the area a very homogenous appearance.
7. To the rear of Penistone Road, on the same side as the appeal building, are a short street and a number of small courts giving access to garages and outbuildings. These are in a range of materials including pre-fabricated pebble dashed panels and timber boarding. A number of the dwellings have also been extended to the rear with single storey additions in a variety of forms.
8. When read together Saved Policies D2 and BE1 of the Kirklees Unitary Development Plan 1999 seek to ensure that all new development is of a high standard of design. Whilst Policy BE13 and BE14 expect that extensions to dwellings should respect existing design features and the character and appearance of the area, it is common ground between the parties that the contemporary design approach adopted for the proposed extension is acceptable. This is in line with the guidance in the National Planning policy Framework which seeks a high standard of design without stifling innovation or originality.

9. The area that is in dispute is with regard to the stone plinth on the end elevation of the building. The appellant's statement suggests that this was requested in order that the materials used on the extension reflect those of the main house.
10. Whilst this may have been the intention, the fact that the stonework is limited to the end elevation and would not continue along the base of the side elevations, in my opinion, undermines this aim as there would be a lack of continuity in the stonework. Whilst the small area of stone plinth would reference the main house, it would not form a visual link between the extension and the original building.
11. I consider that the appellant's suggested approach of facing all of the walls of the extension in vertical timber cladding would, in addition to providing greater integrity to the design of the extension, also clearly differentiate the extension as a new addition to the original fabric of the house when it is viewed as a whole.
12. The proposed extension is located at the rear of the house and, whilst there are some glimpses into the rear garden from Glen View Road, the extension would not be a prominent feature in the street scene. I also saw when I visited the site that the garden of the appeal building is separated from those to each side by a high fence which would prevent any views of the lower part of the extension from the gardens of the neighbouring properties.
13. From what I have read and from what I saw on my site visit, I am satisfied that the design approach shown on Drawing no. 1592-D-20-004, Revision B would not conflict with the requirements of Policies D2, BE1, BE2, BE13 and BE14 of the Kirklees Unitary Development Plan or the guidance in the Framework.
14. I therefore conclude that Condition 2 could be varied as proposed.

Conclusion

15. For the above reasons, and having regard to all other matters raised I conclude that the appeal should be allowed and the planning permission varied as set out above.

John Dowsett

INSPECTOR