
Appeal Decision

Site visit made on 25 November 2019

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 December 2019

Appeal Ref: APP/Z4718/D/19/3236930

56 Upper Clough, Linthwaite, Huddersfield HD7 5PF

- 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 Gareth Pickering against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2019/62/91503/W, dated 2 May 2019, was refused by notice dated 28 June 2019.
 - The development proposed is the erection of a single and two storey extension to rear of house and demolition of existing garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application.

Main Issue

3. The main issue in this appeal is whether the proposed development would preserve or enhance the character or appearance of the Linthwaite Conservation Area.

Reasons

4. The appeal property is positioned within a terrace located in the Linthwaite Conservation Area (CA). Within this part of the CA the age, architectural interest and repetition of the terraced housing appears, to me, to be an important component of its significance.
5. The proposed development would result in the removal of a single storey extension and flat roof garage which projects substantially to the rear. The proposed replacement would not project as far as the existing extension. However, it would be both wider and taller and would, in my view, be a disproportionate addition to the original building.

6. The appellant has planning permission for a smaller extension which would act as a fallback and could be built by the appellant. Moreover, there are a variety of other extensions on the rear elevation of the terrace group. Be that as it may, neither the approved extension or others in the terrace group are as substantial as the proposal before me now. There are also several large detached buildings to the rear of the terrace group with garages on the ground floor. However, these are visually divorced from the terrace and are not seen as physical extensions to the group unlike the proposal before me. In any case, I have considered the appeal proposal on its own merits.
7. The proposal would, in my view, appear as an overly dominant, unsympathetic addition which would have a harmful effect on the appearance of the rear of the host property and terrace group. Due to its rear location it would not be appreciated from wider public views within the CA. However, it would be seen from private views from other properties and from the rear access and parking area. Even cumulative and incremental localised changes of this kind can erode the character and quality of an area. As such, the proposal would not preserve or enhance the character or appearance of the Linthwaite CA.
8. Although in the context of paragraph 196 of the National Planning Policy Framework (the Framework), the resulting harm to the CA would be less than substantial. Any harm to the CA is a matter that attracts great weight, having regard to paragraph 193 of the Framework and the statutory duty to preserve or enhance CA's. In accordance with paragraph 196 of the Framework I must balance that less than substantial harm against the public benefits of the proposal.
9. I accept that the appellant is seeking to make an effective use of an existing dwelling, an objective which is encouraged by the Framework. I understand that extending the property might meet the appellant's need for increased accommodation. I agree with the appellant that the existing built form already projects substantially and unsympathetically to the rear of the original property. Its removal would therefore be a public benefit.
10. However, the existing extension is single storey and narrower than the proposal before me. As such, it does not dominate to the same extent as the proposal would. I therefore afford these benefits limited weight as the benefits to the public would be low. As such, I am not persuaded that these benefits outweigh the harm to the character and appearance of the property and the Linthwaite CA. Accordingly, the proposal would conflict with the requirements of the Framework and with policies LP24 and LP35 of the Kirklees Local Plan Strategy and Policies adopted 2019 which are concerned with the character and appearance of developments and, where relevant, developments within CA's.

Conclusion

11. I have taken account of all the other matters raised including the benefits of the proposed extension. However, none changes the balance of these findings and harm I have identified to the character and appearance of the Linthwaite CA. I therefore conclude that the appeal should be dismissed.

Robert Walker

INSPECTOR