



Appeal Decision

Site visit made on 28 January 2020

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 February 2020

Appeal Ref: APP/Z4718/D/19/3240995

53 Cobcroft Road, Fartown, Huddersfield HD1 6EX

- 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 Zulfiqar Ahmed against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2019/62/92861/W, received by the Council on 30 August 2019, was refused by notice dated 23 October 2019.
 - The development proposed is a two storey side extension (modified proposal).
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension (modified proposal) at 53 Cobcroft Road, Fartown, Huddersfield HD1 6EX in accordance with the terms of the application Ref 2019/62/92861/W, received by the Council on 30 August 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos. 1903.1; 1903.2; 1903.3; 1903.4; 1903.5; 1903.6; 1903.7; 1903.8; and 1903.9B.
 - 3) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

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 which accurately describes the proposal.

Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal property is a 2-storey terrace house at the end of a short row of houses along Cobcroft Road. The terrace extends around the corner onto Bradford Road, a busy road comprising of both residential and commercial properties. Within this terrace group, there is variation in the frontage appearance of the properties. The terrace group are separated from other properties on that side of Cobcroft Road by an area of open space containing a cycleway.
5. Policy LP24 of the Kirklees Local Plan Strategy and Policies (LP) document adopted 2019 requires, amongst other things, that extensions are subservient to the original building and are in keeping with the existing buildings in terms of scale, materials and details.
6. The Council is critical of the proposal because it considers that the side extension would not be subservient to the property in light of the requirements of Policy LP24. However, it seems to me that development proposals should each be assessed in the light of their own particular circumstances, which can vary from site to site.
7. In this instance the extension would be viewed in the street scene as part of the terrace group and not in isolation with the appeal property. The proposed external materials would match those of the existing dwelling and the style of fenestration would be consistent with the rest of the property. In my view, due to the variety in the frontage of this short section of terrace properties in Cobcroft Road, there would not be harm in having a suitably designed large extension at the end of this terrace.
8. The garden space at the end of the terrace is of no particular benefit to the street scene as the presence of the open space along the cycleway gives this part of the street an open spacious character. Moreover, the remaining garden space, would ensure that the proposal would not appear over developed within the street.
9. Accordingly, although the proposal may not appear subservient to the host property, it would be in keeping with the intrinsic character and general appearance of the existing dwelling and others in the terrace group. As such, I do not share the Council's concerns that it would be detrimental to the visual amenity, street scene and character of the area.
10. Overall, I conclude that the proposed development would be in keeping with the character and appearance of the area. Accordingly, it would comply with the objectives of Policy LP24 of the LP in seeking to promote good design. Policy LP24 is consistent with the provisions of the National Planning Policy Framework (the Framework). I therefore conclude that the proposal would comply with paragraphs 127 and 130 of the Framework which broadly seek to secure high quality design.

Conditions

11. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development is carried out in accordance with them as this provides certainty. To ensure the satisfactory appearance of the development, a condition is attached to require that the external materials match those of the existing building, as proposed.

Conclusion

12. For the reasons set out above and having regard to all matters raised, I conclude that the appeal should be allowed.

Robert Walker

INSPECTOR