



Appeal Decision

Site visit made on 10 February 2020

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2020

Appeal Ref: APP/Z4718/W/19/3238050

29 Back Slaithwaite Road, Dewsbury, West Yorkshire WF12 9DS

- 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 Abdul Razvi against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2019/62/91736/E, dated 20 May 2019, was refused by notice dated 18 July 2019.
 - The development proposed is extension to front of house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have seen that on the decision notice the Council have referred to Policy 'PLP24' rather than Policy 'LP24'. However, having read the officer's report I am satisfied that this was nothing more than a typographical error and I have determined the appeal on this basis.
3. When on my site visit, I observed that construction of the proposal had already begun. Notwithstanding the partial construction of the proposal being in place, I have considered the appeal based on the plans submitted to and considered by the Council, which form the basis of the scheme that is before me. This is in the interests of impartiality and fairness in accordance with the principles of natural justice.
4. Furthermore, when on site I also observed that a porch had been constructed to the front of the neighbouring property no. 30 Back Slaithwaite Road. Indeed, since my site visit the Appellant has also submitted photographic evidence showing the newly constructed porch. As the other parties were given the opportunity to make a comment on this matter, I do not consider that any party will have been prejudiced by my acceptance of this evidence.
5. The Appellant has also stated that (in their opinion) some of the objections to the proposal were politically motivated. However, this is a matter that would need to be taken up with the Council in the first instance and in determining the appeal I have only had regard to the planning merits of the case.

Main Issue

6. The main issue is the effect of the proposed development on the character and appearance of the area having particular regard to the street scene.

Reasons

7. The appeal property is a two-storey semi-detached dwelling with a red-brick façade situated close to the junction between Back Slaithwaite Road and Churchbank Way. The other dwellings along this part of the road are of a design and style similar to the appeal property. Except for no. 30, none of the properties on the street have a front porch or ground floor extension although some of them (including the appeal property) do have a tiled canopy overhanging their front doors. The surrounding area is predominately residential largely comprising two storey dwellings that are detached, semi-detached or terraced with some of these having front porches.
8. The proposal consists of a new ground floor extension to the appeal property which would span the entire width of its front elevation. Given that no other property on this part of Back Slaithwaite Road has a similar ground floor extension (spanning the entire width of the front elevation) I consider that the proposal would represent a discordant addition to the street scene. Furthermore, I also consider the appeal property to be in a relatively prominent location on the street scene given its proximity to the junction between Back Slaithwaite Road and Churchbank Way (even though it is behind the busier and wider Slaithwaite Road). Consequently, I find that the proposal would have an adverse impact on visual amenity thereby materially harming the character and appearance of the street scene and wider area.
9. In support of the appeal scheme, my attention has been drawn to the fact that there may be similar front extensions in the wider area. However, I do not know the full circumstances that led to these being built, and so cannot be sure that they represent a direct parallel to the appeal scheme before me (including in respect of their dimensions). In any event, I have determined the appeal scheme on its own merits.
10. I also note that the occupier of the neighbouring property (no. 28) has withdrawn their original objection to the appeal scheme and that they have also submitted a letter in support of the proposal. However, this does not outweigh or overcome the harm to the character and appearance of the area that I have identified above.
11. Accordingly, I therefore conclude that the proposal would conflict with Policy LP24 of the Kirklees Local Plan (Adopted February 2019) which aims to promote good design, amongst other considerations. It would also conflict with paragraph 130 of the National Planning Policy Framework which requires good design.

Conclusion

12. For the reasons set out above I conclude that the appeal should be dismissed.

C Coyne

INSPECTOR