



Appeal Decision

Site visit made on 3 August 2020

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 August 2020

Appeal Ref: APP/Z4718/D/20/3252458

46 Golcar Brow Road, Meltham, Holmfirth HD9 5LD

- 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 Peter Sandford against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2019/62/92714/W, dated 13 August 2019, was refused by notice dated 10 March 2020.
 - The development proposed is construction of extension to main house to provide new bathroom, living room and garden room.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of extension to main house to provide new bathroom, living room and garden room at 46 Golcar Brow Road, Meltham, Holmfirth HD9 5LD in accordance with the terms of the application Ref 2019/62/92714/W, dated 13 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: Dwg No: 623/SU001A; 16-90-EL; 16-90SECT-01; 16-90SECT-02; 16-90SECT-03; 16-90SECT-04; 18-11-FP-01; GA001C; GA002B; GA003A; GA004C; GA005B; GA006C; GA007A; GA008; GA009; and GA0010.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The extension hereby permitted shall not be occupied until the rooflight has been fitted with obscured glazing. Once installed the obscured glazing shall be retained thereafter.

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 is the effect of the proposal on the character and appearance of the host property and surrounding area.

Reasons

4. The appeal property is a detached 2-storey dwelling located at the end of a shared access drive. The surrounding built form is varied, predominantly 2-storey housing frequently stepping with the topography. The host property has a strong simple 3-dimensional form and traditional materials. Although not prominent from the public realm due to its position, it makes a positive contribution to the built environment.
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 proposed extension would step down with the landform and due to the layout would appear as its own distinct element albeit physically linked to the host property. In doing so the proposal would maintain the strong 3-dimensional form of the original property.
7. The proposal would utilise matching materials respecting the surrounding built form. The windows would provide a contemporary detailing which would contrast with the host building whilst also reflecting features found within the locality. This, in my view, would add interest rather than be harmful to its overall appearance.
8. I recognise that the proposal would occupy a reasonable footprint in relation to the host building, with a wider gable and a more complicated roof form. However, in all views the original building would remain distinct and the dominant built form. The proposed extension's scale, position within the garden and layout would combine to ensure that it remains a subservient feature. As such, the contrasting features would not appear incongruous in this context in relation to either the host dwelling or the surrounding houses.
9. I am therefore satisfied that the proposal would not have a harmful effect on the character and appearance of the host property or surrounding area. The proposal would therefore comply with the objectives of Policy LP24 of the LP in seeking to promote good design. The proposal would also comply with the objectives of Chapter 12 of the National Planning Policy Framework which broadly seeks to secure high quality design.

Other Matters

10. I have no substantive evidence that there would be any significant shadowing effects from the proposal. Due to the topography and the extension's height, it would not result in an overbearing presence from neighbouring properties. The construction and maintenance in relation to neighbouring land are private legal matters. Moreover, any noise and disturbance during construction would be for a temporary period only. I note the Council raised no concerns in relation to biodiversity and I have no reason to disagree particularly given the extension's scale and position in the garden.

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.
12. The Council suggested, in its Officer Report, that materials of the proposed walkway be stone and samples required to be submitted to the Council by condition, however given its location to the rear I do not consider such a condition to be reasonable or necessary. However, to ensure the satisfactory appearance of the development, a condition is attached requiring that the external materials match those of the existing building, as proposed.
13. I have imposed a condition requiring the rooflight to be obscure glazed in line with the assessment in the Council's Officer report in order to ensure that there is no overlooking between the proposal and the neighbouring property.

Conclusion

14. For the reasons set out above and having regard to all matters raised, the appeal is allowed.

Robert Walker

INSPECTOR