



Appeal Decision

Site visit made on 1 September 2020

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21 September 2020

Appeal Ref: APP/Z4718/D/20/3253551

53 Parkwood Road, Longwood, Huddersfield HD3 4TT

- 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 J Sewell against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref: 2020/62/90992/W, dated 28 February 2020, was refused by notice dated 2 June 2020.
 - The development proposed is extension to existing dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on i) the character and appearance of No 53 Parkwood Road and ii) the living conditions of the occupiers of No 55 Parkwood Road, with regard to outlook.

Reasons

3. The appeal property, No 53 Parkwood Road (No 53), forms the right hand half of a pair of two-storey, semi-detached houses. It is constructed of brick with a pantile roof. It has an attached single-storey garage at the side which is set back from the front elevation and a conservatory at the rear.
4. The adjacent property, No 55 Parkwood Road (No 55), is located on the corner of the junction with Parkwood Road and Thorpe Green Drive and sits at an angle to No 53.
5. The proposed development comprises the demolition of the existing garage and the erection of a two-storey extension at the side to the full height and along the full depth of No 53, combined with a single-storey extension at the rear of approximately 2.5m in height and approximately 5m in length from the rear elevation of the dwelling. The extension would be constructed of materials to match the host property.
6. The Council's reason for refusal raises no objections in relation to the two-storey side extension and I have no reason to disagree. I shall therefore limit my consideration of the proposed development to that comprising the single-storey rear extension.
7. The single-storey rear extension would project a substantial length from the rear elevation of the host property. This combined with its height and width,

- would result in built form of considerable size, scale and massing which, particularly when considered in conjunction with the two-storey side extension, would not be subservient to the host property. This would have an adverse effect on the character and appearance of No 53.
8. The single-storey rear extension would be sited in very close proximity to the shared side boundary with No 55 and its relatively small rear garden. At present the adjoining rear gardens of No 53 and No 55 are separated by a low wall with coping stones which imparts an open quality to these spaces.
 9. I acknowledge that the rear garden of No 55 sits slightly above the rear garden of No 53, which would mitigate the effect of the single-storey rear extension to some degree. Nevertheless, the position, height and length of the single-storey rear extension would substantially enclose the currently open side of the rear garden of No 55. This, in conjunction with the single-storey rear extension's immediate proximity, solid form and overall massing, would cause it to be an unduly overbearing structure when viewed from the rear garden of No 55. Overall, it would result in an oppressive and uncomfortable sense of enclosure within the rear garden of No 55 that would substantially diminish the outlook of the occupiers of this property and would have a detrimental impact on their use and enjoyment of this space.
 10. I am mindful that the proposed development was revised during the application process to address some of the concerns raised by the Council. Nevertheless, the amendments are not sufficient to overcome the fundamental issues of the length, size and scale of the single-storey rear extension and the resultant harm.
 11. For these reasons, I conclude that the proposed development would have a harmful effect on both the character and appearance of No 53; and, the living conditions of the occupiers of No 55, with regard to outlook. This would conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies 2019, insofar as it requires proposals to promote good design by ensuring that they provide a high standard of amenity for future and neighbouring occupiers; and, that extensions are subservient to the original building and minimise impact on residential amenity of future and neighbouring occupiers. It would also not accord with Paragraph 127 of the National Planning Policy Framework which, amongst other things, seeks to create places with a high standard of amenity for existing and future users.

Other Matters

12. The appellant asserts that the single-storey rear extension constitutes permitted development. However, I have not been provided with any compelling evidence that it would benefit from such permitted development rights. Therefore, I have considered the appeal proposal on its own planning merits and in accordance with both local and national planning policy in place at the time of my decision.
13. The appellant contends that a 5.5m extension would be seen as acceptable under a larger home extension. Nonetheless, I note that prior approval for a larger home extension has not previously been applied for. Furthermore, even if an application for prior approval for a larger home extension could be submitted to the Council, there is no guarantee that such an application would

be approved. This is, therefore, a matter to which I afford limited weight and it does not alter or outweigh my conclusion on the main issue.

14. I am aware that the Council concluded that the proposed development, as a whole, would not harm the character and appearance of the area or result in any highway safety issues. Furthermore, I note that no objection was received from the occupiers of No 55 who, the appellant declares, are happy with the proposed development. However, these matters weigh neutrally in the planning balance and do not amount to considerations in support of the appeal.

Conclusion

15. For the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR