



Appeal Decision

Site Visit made on 12 May 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2021

Appeal Ref: APP/Z4718/W/21/3267692

2 Scout Hill Terrace, Dewsbury WF13 3RE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mrs Aleema Ali against Kirklees Metropolitan Council.
 - The application Ref 2020/92666, is dated 14 August 2020.
 - The development proposed is described as a "single storey front extension".
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Decision

1. The appeal is allowed and planning permission is granted for "single storey front extension" at 2 Scout Hill Terrace, Dewsbury WF13 3RE in accordance with the terms of the application, Ref 2020/92666, dated 14 August 2020, 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: SCO-02-20, dated 14/08/2020.
 - 3) No construction of the external surfaces of the extension hereby permitted shall take place until a sample panel of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the local planning authority. The sample panel shall be at least 1 metre x 1 metre and show the proposed material, bond, pointing technique and palette of materials (including roofing, cladding and render) to be used in the development. The development shall be constructed in accordance with the approved sample, which shall not be removed from the site until completion of the development.

Preliminary Matters and Main Issue

2. This appeal is against the failure of the Council to give notice of a decision within the prescribed timescale. The Council's statement of case details a reason for refusal, had a decision been made, referring to the effect of the proposed development on the character and appearance of the area including the appeal property.
3. The main issue therefore is the effect of the proposed development on the character and appearance of the area, including the appeal property.

Reasons

4. Policy LP24 of the Kirklees Local Plan (the LP) details that good design should be at the core of all proposals in the district and, of particular relevance to this appeal, "extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details".
5. The appeal site consists of a traditional back to back terraced house, I note that the submitted plans show that Nos 2 and 4 have been joined to create a single dwelling and a substantial detached garage has previously been erected to the front of the property. By the nature of the property there is no rear elevation to the appeal dwelling.
6. I saw at the site visit that the front elevations of the terraced properties on this part of the road creates a strong building line. However there are already a number of existing front extensions of different sizes, scales and designs that project beyond this building line, including the garage on the appeal site is a prominent feature and a clear departure from the established building line.
7. The appeal scheme is the creation of a single storey pitched roofed extension shown on the submitted plans as accommodating a bedroom and wetroom, I understand this is to meet the needs of a resident at the property but no specific details have been submitted. The extension projects forwards of the front elevation of the dwelling, though I note that the extension does not project as far forwards, towards the road, as the existing garage does.
8. The submitted plans show that the proposed extension is subordinate in scale and mass to the existing dwelling, would be built of stone to match the existing property. Furthermore, the detailing of the roof, windows and doors are generally in keeping with the appeal property.
9. As a result of the layout of the existing site and the design of the proposed extension, I find that, on balance, the appeal scheme would not harm the character and appearance of the area, including the appeal property. as such the appeal scheme is not contrary to Policy LP24 of the LP.

Other Matters

10. The Council has referred to the guidance contained within an emerging Supplementary Planning Document. I have not been provided with a copy of the guidance.

Conditions

11. In the interests of clarity, I have included conditions relating to the life of the permission and the approved plans. In the interests of the character and appearance of the area I have included a condition requiring the approval of materials to ensure that these match the existing property.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

Mr M Brooker

INSPECTOR