



Appeal Decision

Site Visit made on 16 November 2021

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 03 DECEMBER 2021

Appeal Ref: APP/Z4718/D/21/3284095

7 Paget Crescent, Birkby, Huddersfield HD2 2BZ

- 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 H Ghosh against the decision of Kirklees Metropolitan Council.
 - The application Ref 2021/62/92222/W, dated 28 May 2021, was refused by notice dated 28 September 2021.
 - The development proposed is front and rear extensions.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision was based on revised drawings which were submitted during the course of the application. I have based my decision on the revised drawings, consistent with the Council's decision¹.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the appeal site and its surroundings.

Reasons

4. The appeal relates to a detached house, which is set back from Paget Crescent within large, landscaped grounds. It is one of a number of large, detached houses on Paget Crescent which are similarly situated within extensive gardens and set back from the road frontage behind trees and hedges, but which display some variety in their ages, materials, and architectural detailing.
5. The existing house on the appeal site has very low eaves, which sit just above its ground floor windows, and a tall and relatively steeply pitched roof which houses most of the property's first floor accommodation.
6. The property has existing two storey extensions to the rear. However, the eaves of those extensions, and the openings within them, are similar in height to the eaves and windows of the first-floor rear dormers. They also have pitched roofs, which are similar to that of the main dwelling, and set down from its ridge. Therefore, despite their two-storey height, they appear subservient in scale to the host property and do not unduly dominate its rear elevation.

¹ For the avoidance of doubt, my decision is based on the following drawings: Location Plan reference number TQRQM21160005012185; Existing Plans & Elevations drawing number 21119-1; Proposed Plans & Elevations drawing number 21119-2 Revision A.

7. In contrast, the windows and eaves of the two-storey extension which is now proposed to the front of the house would be very tall, extending to a greater height than those of the existing and proposed first floor front dormer windows. As a consequence, the extension would appear discordantly tall and have an unduly vertical appearance, which would be at odds with the distinctive low eaves line and horizontally proportioned frontage of the existing building.
8. Although the front elevation of the existing building is staggered, with sections stepping back and forwards at present, the proposed two storey extension would project significantly further forward than any other part of the building's front elevation. As a result of that depth, and the height of its walls, the proposed extension would have a substantial volume and massing and would not appear subservient to the existing building. Rather, it would appear as a highly incongruous feature, which would unbalance and unduly dominate the front elevation and would fail to respect the scale, form, or proportions of the existing building.
9. The extension's bulk and massing, and its unduly dominant presence, would arise from the height and depth of its walls, and thus would not be offset or overcome by the very shallow hipped roof proposed. Indeed, that shallow hipped roof would, itself, introduce an uncharacteristic and incongruous feature that would fail to respect the detailing or appearance of the existing building, with its relatively steep, gabled roofs.
10. The appeal building is part of a varied street scene. However, for the reasons given, I conclude that the two-storey front extension proposed would harm the distinctive character and appearance of this particular building within that street scene, even if it were finished in materials to match the existing building.
11. Although the house is set back from the road frontage, and despite the presence of some intervening vegetation, the extension and its unduly dominant scale and harmful effect on the host building's appearance would also be glimpsed from public vantage points on Paget Crescent. It would therefore also detract from the appearance of the wider street scene.
12. As the site's front garden slopes steeply downhill from the front of the house towards Paget Crescent, views of the two-storey front extension from that front garden and from public vantage points on Paget Crescent would be upwards towards the building, further accentuating the impression of the extension's scale and height and its unduly dominant effect on the host building.
13. Given the above, I conclude that the proposed extension would have an adverse effect on the character and appearance of the appeal site and its surroundings. It would therefore conflict with Policy LP24 a. and c. of the Kirklees Local Plan Strategy and Policies, which require development to respect the character of the townscape, and that extensions are subservient and in keeping with existing buildings in terms of their scale and details. It would not accord with guidance in the Council's House Extensions and Alterations Supplementary Planning Document, which advises that two storey front extensions will not normally be permitted unless they are subservient to the original building and would not harm the character of the original house or the area. It would also conflict with the National Planning Policy Framework (the Framework), which requires developments to be sympathetic to local character and add to the overall quality of an area.

Other Matters

14. The proposed development would provide additional and reconfigured living accommodation for the appellant and their family. I have noted comments made regarding the constraints of the upper floor accommodation in the roof space of the building. However, I am not satisfied, from the evidence, that the particular proposal before me would be the only means of addressing those matters referred to, and they do not outweigh the harm that I have identified.
15. I am advised that the extension would be part of a wider modernisation of the house, and reference has been made to improved energy systems, insulation and security in that context. However, in the absence of any substantive detail regarding the measures proposed in those respects, I cannot be certain as to the nature or extent of any such benefits which may arise. I therefore afford this little weight, and it does not outweigh my conclusions above.
16. I note that the Council has not raised any concerns regarding the other extensions which are proposed. However, the absence of harm in other regards is neutral, and not a factor to be weighed in favour of the proposals.
17. I have been referred to existing extensions to nearby properties. However, I do not have full details before me of those additions or the circumstances in which they were built. Therefore, I cannot be certain that they were directly comparable to the case before me. In any event, I have considered this appeal on its own planning merits.
18. The revised drawings which formed the basis of the Council's decision were not the subject of publicity during the application. However, as I have found the proposal unacceptable despite the amendments made, I am satisfied that no party has been prejudiced by my basing my decision on the revised drawings.

Conclusion

19. Paragraph 11 of the Framework states that decisions should apply a presumption in favour of sustainable development. In the context of decision taking, this means approving development proposals that accord with an up-to-date development plan without delay. In this case, I have found harm to character and appearance and conflict with development plan policy for the reasons given. That harm would not be outweighed by the benefits of the scheme.
20. The development would therefore conflict with the development plan taken as a whole and material considerations do not indicate that the decision should be made other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

Jillian Rann
INSPECTOR