



Appeal Decision

Site visit made on 7 December 2021

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 15 December 2021

Appeal Ref: APP/Z4718/D/21/3278558

85 Swallow Lane, Golcar, Huddersfield, W. Yorkshire HD7 4NB

- 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 Adam Lambert against the decision of Kirklees Metropolitan Council.
 - The application Ref 2021/62/90604/W, dated 10 February 2021, was refused by notice dated 23 June 2021.
 - The development proposed is described as 'Double storey side extension and first floor extension on top of existing kitchen.'
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Decision

1. The appeal is allowed and planning permission is granted for a double storey side extension and first floor extension on top of the existing kitchen at 85 Swallow Lane, Golcar, Huddersfield, W. Yorkshire HD7 4NB in accordance with the terms of the application, Ref 2021/62/90604/W, dated 10 February 2021, 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: Block Plan HD.21.96.PP.04 C, Existing & location plan HD.21.96.EX.01, Proposed ground floor plan HD.21.96.PP.01 B, Proposed first floor plan HD.21.96.PP.02 B, Proposed elevations HD.21.96.PP.03 B.
 - (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.

Preliminary Matters

2. A revised version of the National Planning Policy Framework (the Framework) was published on 20 July 2021. The content of the revised Framework has been considered but in light of the facts in this case it does not alter my conclusion.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the dwelling and the surrounding area.

Reasons

4. The appeal relates to a modest two storey detached stone built dwelling that is located in a predominantly residential area. Whilst there are a number of large,

detached properties to the south east of the site, Swallow Lane is characterised by a mixture of two storey terrace and semi-detached properties that are laid out in a roughly linear pattern. The topography of the area is such that Swallow Lane steeply rises from the eastern direction up to and beyond the appeal site.

5. I appreciate that the proposal would create a wrap around extension that would alter the appearance of the appeal dwelling. Nonetheless, the proposed first floor extension would be built above a proportion of the existing single storey outrigger, with the ridge line of its front gable being set below that of the main roof. The proposed two storey side extension would also replace an existing single storey garage that is attached to the western side of the house. The increase in footprint would therefore be limited. These additions would also result in a building that would be of a similar scale and form as other dwellings in the locality.
6. Furthermore, although the properties on the same side of the road as the appeal site are laid out in a roughly linear manner, the appeal dwelling is set back a generous distance from the front faces of the neighbouring properties to the west. The first floor extension element of the proposal would also not project forward of the northern elevations of the neighbouring properties to the east. These factors, in combination with the difference in levels along Swallow Lane would ensure that this element of the proposal would not appear jarring or visually prominent from along this highway.
7. The proposed two storey side extension would not be set back from the southern elevation of the appeal dwelling. In addition, an existing double first floor window in this elevation would be altered so that it would be split into two smaller windows and separated by stonework. As a result, it would not vertically align with an identical ground floor window opening directly below it. Nonetheless, the two separate windows would be the same height and be of a similar design as the other windows on this floor and would horizontally align with them. All of these alterations would also be located to the southern side of the property where public views of them would be limited.
8. In light of all of these factors, I consider that the additional bulk, massing and design of the combined extensions would not appear overly dominant or unduly conspicuous in the street scene. Instead, I am satisfied that the proposal would appear as a subservient addition to the main building and would not be incongruous in its context.
9. I therefore find that the proposed development would not have a harmful effect on the character and appearance of the dwelling and the surrounding area. It would consequently not conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019), which seeks to promote good design by ensuring that extensions are subservient to the original building and that the form, scale, layout and details of all development respects and enhances the character of the townscape. Conflict would also not arise with the Framework, which requires developments to be sympathetic to local character and to add to the overall quality of an area.

Conditions

10. I have considered the conditions suggested by the Council against advice in the Planning Practice Guidance: *Use of planning conditions*. In addition to the statutory time limit condition, I agree that a condition specifying the relevant

plans is necessary to provide certainty. I also agree that a condition relating to materials is necessary in the interests of character and appearance.

Conclusion

11. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be allowed.

Mark Caine

INSPECTOR