



Appeal Decision

Site visit made on 11 January 2022

by M L Milliken BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 January 2022

Appeal Ref: APP/Z4718/D/21/3281291

16 Netherwood Close, Fixby, Huddersfield HD2 2LR

- 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 and Mrs Hussain against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2021/62/90588/W, dated 12 February 2021, was refused by notice dated 7 June 2021.
 - The development proposed is described as '*single storey front, rear & side extension*'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, with particular regard to the street scene.

Reasons

3. The appeal site is located on an elevated position, along an existing row of individually designed properties, a number of which are one storey in height. During my site visit I observed that dwellings in the local area have physical gaps of varying sizes present between them, and generally benefit from generous plot sizes and gardens.
4. Policy LP24(a) of the Kirklees Local Plan (KLP) (adopted February 2019) seeks to ensure good design with regards to form, scale and layout of all development, so that it respects and enhances the character of the townscape.
5. Paragraph 130 of the National Planning Policy Framework (the Framework) states that planning decisions should ensure that developments are sympathetic to local character, including the surrounding built environment. At paragraph 134, the Framework advises that development that is not well designed should be refused.
6. I accept that the proposed extension would be constructed of sympathetic materials to match the existing property and that it would step down from the existing property. However, it would nevertheless remain of a sizeable scale and, taken with its elevated position, including the proposed proximity to the adjacent property, the extension would appear as a large, dominant feature when viewed in the context of the street scene.

7. As a result, the proposed extension would erode the gap between the existing dwelling and the neighbouring property to such a degree that it would be disproportionate and therefore would be an unacceptable addition in its immediate context.
8. The appellants assert that the proposed extension, specifically the front projection, would result in the host dwelling becoming more in keeping with neighbouring properties. However, this does not detract from the fact that the proposed extension is of such a scale that it would be overly prominent when viewed in the context of the street scene.
9. The appellants draw my attention to the fact that a number of other properties in the local area sit close to the plot boundaries. However, I do not find that the examples provided are directly comparable due to the specific location of the host dwelling on an elevated position, the form and scale of the proposed extension and the individualised design nature of houses within the estate.
10. I have also considered the evidence provided with regards to planning permissions granted in relation to No. 46 Netherwood Close. For reasons already cited, I have little reason to conclude that the two properties are directly comparable and I therefore attribute little weight to such comparisons in the consideration of this appeal.
11. For the reasons stated, I consider that the proposed development would have an unacceptable effect on the character and appearance of the area, with particular regard to the street scene, and would therefore conflict with adopted Policy LP24(a) of the KLP (2019), details of which I have outlined above. It would also conflict with relevant paragraphs of the Framework as stated.

Other Considerations

12. I have been provided with a letter citing personal circumstances in relation to this appeal. Whilst I have taken this into account, the letter is rather short and leaves a number of unanswered questions, particularly regarding the availability of alternative accommodation. Whilst I understand that the appellants may have specific needs, on the evidence before me I cannot find in their favour and in so doing, I do not consider the harm I have identified above is outweighed by the personal circumstances as presented.

Conclusion

13. For the reasons set out, I conclude the proposed development to be in conflict with the development plan as a whole, and that finding is not outweighed by other material considerations. Accordingly, the appeal should be dismissed.

M L Milliken

INSPECTOR