



Appeal Decision

Site visit made on 15 February 2022

by R Hitchcock BSc(Hons) DipCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2022

Appeal Ref: APP/Z4718/D/21/3285843

29 Oldfield Road, Honley, Holmfirth HD9 6NL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Class AA of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
 - The appeal is made by Mr I Sohal against the decision of Kirklees Metropolitan Council.
 - The application Ref 2021/92630, dated 28 May 2021, was refused by notice dated 25 August 2021.
 - The development proposed is first floor extension above existing garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the banner heading above is taken from the application form. However, the revised description of 'Prior Approval for the enlargement of the dwelling house by an additional storey' is used on the appeal form and the Council's Decision Notice. This reflects the development shown on the submitted plans and I have determined this appeal accordingly.
3. Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), permits development consisting of the enlargement of a dwellinghouse by construction of up to two additional storeys, where the existing dwellinghouse comprises two or more storeys, together with any reasonably necessary engineering operations. Development is permitted under Class AA subject to limitations and conditions.
4. Paragraph AA.2.(3)(a) requires that before beginning the development, the developer must apply to the Council for prior approval in relation to certain matters. In this case the Council considered that the proposal met the limitations and restrictions of Class AA and its reason for refusal relates only to paragraph AA.2.(3)(a)(ii) - the prior approval matter of the external appearance of the dwellinghouse.
5. Based on the evidence before me, I am also satisfied that the proposal would not fall outside of any of the limitations and restrictions in paragraphs AA.1.(a) to (k), or result in adverse impacts in respect of the other prior approval matters. I have therefore confined my reasoning to the prior approval matter of external appearance.

6. The National Planning Policy Framework (the Framework), Development Plan policies and supplementary planning documents can be considered relevant in prior approval cases, but only insofar as they relate to the development and prior approval matters. I have proceeded on this basis.

Main Issue

7. The main issue is whether prior approval should be granted having regard to the external appearance of the dwellinghouse.

Reasons

8. The site lies within a ribbon of development of individually designed dwellings on the southern side of Oldfield Road, close to its junction with Long Lane. To the front and rear of the row of houses, the land is a gentle valley landscape of open rural fields.
9. The existing building is a 2-storey detached dwelling located behind an enclosed front garden and parking area. The central element of the building has a low eaves line set immediately above the first-floor openings. It presents as a cottage style dwelling with a wide elevation and modest overall height.
10. A horizontal emphasis in the appearance of the building is exaggerated by lower flanking elements. These also have broad widths with intentional subordinate heights. Although the proposal for an additional floor would replicate the detail and spacing of the existing upper floor openings, it would create a significant and contrasting vertical emphasis to the building's characteristic horizontal proportioning.
11. The side projections would retain a subservient appearance. However, their combined large footprint taken with the significant height of the principal element would present as a building of considerable scale. This would contrast starkly with its original character and design proportions.
12. Furthermore, the site's position on a rise in the local topography and proximity to the road junction ensures it is highly visible from the public realm and visible across distance in the open and unforgiving landscape. The height and scale of the building would stand out within the row of moderately scaled development.
13. Notwithstanding the variations in their appearance, the predominant character of the nearby development is also of buildings of greater width dimensions than their corresponding heights. This horizontal aspect transgresses the various building types of between 1 and 2 storeys and moderates the perception of scale in the ribbon of development. The increased sense of scale, the overt vertical emphasis and contrast with the surrounding scale and massing of built development would be considerable. It would subsequently appear incongruous in its plot.
14. For those reasons, I find the proposal would conflict with the Framework's aim of achieving well-designed places. It would conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies [2019], the Householder Design Guide Supplementary Planning Document [2021] and the National Design Guide as they seek high standards of design, including an appropriate form and scale of development in keeping with the existing building/s and the character of the area in which they are located.

Conclusion

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

R Hitchcock

INSPECTOR