
Appeal Decision

Site visit made on 3 March 2022

by Stephen Normington BSc DipTP MRICS MRTPI FIQ FIHE

an Inspector appointed by the Secretary of State

Decision date: 16TH March 2022

Appeal Ref: APP/Z4718/D/22/3292153

9 Clarkson Close, Heckmondwike WF16 9LY

- 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 Hussain against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2021/62/93937/E, dated 12 October 2021, was refused by notice dated 22 December 2021.
 - The development proposed is the erection of a two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey side extension at 9 Clarkson Close, Heckmondwike WF16 9LY in accordance with the terms of application Ref 2021/62/93937/E, dated 12 October 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: Location Plan; 500.1 – Existing Plans and Elevations; 500.2 – Proposed Floor Plans; 500.3 – Proposed Elevations; and Site Plan.
 - 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.

Procedural Matter

2. The drawing reference numbers shown in condition No 2 above are not clear on the submitted plans. I have therefore used the drawing numbers used by the Council, as contained within the Officer Report and the Decision Notice, in this decision.

Main Issue

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

Reasons

4. The appeal property comprises a two-storey, end terrace dwelling located in a residential area comprising of predominantly terraced and semi-detached

properties. A characteristic feature of the original design of the terraced block is that each end dwelling has a protruding two-storey front gable. In my view, this provided a degree of intentional architectural symmetry to the original terraced block.

5. Adjoining the side boundary of the property and located between the appeal dwelling and the side boundary of No 11 Clarkson Close is a footpath that provides access to the rear of the terraced block. The end dwelling at the opposite end of the terraced block (No 1 Clarkson Close) has a two-storey extension of similar design to that proposed in this appeal which extends to the approximate position of the side property boundary
6. The proposed development would involve the construction of a two-storey side extension which the Council indicate would extend approximately 2.9m from the existing side elevation and would be positioned close to the property boundary with the path. The front elevation of the proposed first floor element would align with that of the terraced block. The front elevation of the proposed ground floor would align with that of the protruding two-storey element. The ridge line and eaves position would be commensurate with that of the existing dwelling. The proposed materials and fenestration would match those used in the existing dwelling.
7. The Council has referred to a recently adopted Supplementary Planning Document (SPD) "House Extensions and Alterations SPD" (June 2021). This sets out detailed guidance to achieve a well-designed house extension. Key Principle 1 of the SPD requires that extensions to residential properties should be in keeping with the appearance, scale, design and local character of the area and the street scene. Key Principle 2 sets out that extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.
8. In addition, the SPD, amongst other things, requires that two-storey side extensions should not take up all or most of the space to the side of a house and maintain a 1 metre gap to the side boundary to ensure the building is not too close to a neighbouring property. It also requires the front elevation to be set back at least 500mm from the front wall of the original dwelling and for the lowering of the roof ridgeline from that of the original house.
9. Although the proposed extension would not be set back from the front elevation, it would be significantly less than the width of the existing dwelling. Furthermore, the existing front projection provides some degree of a visual break between the proposed extension and the remainder of the terraced block. As a consequence, I do not consider that the proposed extension would dominate the original house. It would be in keeping with the existing building in terms of its scale, materials and detail.
10. In addition, the similarity of its design with the extension at No 1 would ensure that the architectural symmetry, that is a key characteristic feature of the appearance of the terraced block within the street scene, is retained. In this regard, the proposal would accord with the provisions of Key Principles 1 and 2 of the SPD. Whilst the extension to No 1 may have been constructed prior to the adoption of the SPD it nonetheless forms part of the character and appearance of the terraced block. As such, it forms part of the visual context for the consideration of the appeal scheme.

11. Given the local site circumstances in this case, I consider that an extension that was set back 500mm from the front elevation and stepped down from the ridge line to accord with the SPD would unacceptably erode the intended symmetry of the terraced block. This would result in a form of development that would not meet the provisions of Key Principles 1 and 2 of the SPD.
12. I recognise the Council's concerns regarding the potential terracing effect that may occur should No 11 decide to construct a similar form of development to that proposed in the appeal scheme. However, in such circumstances the intervening path would form a noticeable visual break. Consequently, I do not consider that an unacceptable terracing impact would occur.
13. Taking the above matters into account, I conclude that the proposal would retain the architectural symmetry of the terraced block and would be in keeping with the existing building. As such, it would not have a significant detrimental effect on the character and appearance of the host property or the surrounding area. Therefore, there would be no conflict with Policy LP24 of the Kirklees Local Plan – Strategy and Policies (2019). This policy, amongst other things, requires development to respect the character of the townscape and that extensions are subservient to the original building and are in keeping with the existing building in terms of scale, materials and details. In addition, there would be no material conflict with Key Design Principles 1 and 2 of the SPD.

Conditions

14. In addition to the standard time limit condition, I consider it necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. This is in the interests of certainty. In order to protect the character and appearance of the area, I have imposed a condition concerning the external materials to be used.

Conclusion

15. For the above reasons, taking into account the development plan as a whole based on the evidence before me and all other matters raised, I conclude that the appeal should be allowed.

Stephen Normington

INSPECTOR