
Appeal Decision

Site visit made on 5 July 2022

by J Downs BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 July 2022

Appeal Ref: APP/Z4718/D/22/3299183

42 Ravens Lodge Terrace, Scout Hill, Dewsbury WF13 3EF

- 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 Waqar Bhatti against the decision of Kirklees Metropolitan Council.
 - The application Ref 2022/62/90513/E, dated 15 February 2022, was refused by notice dated 11 April 2022.
 - The development is described as "This will be a two storey extension to the side of the original house and also extending into the loft space of the original house there will be a dormer window to the side and to the rear".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the site and surrounding area.

Reasons

3. The appeal site is a semi-detached property occupying a prominent position along 2 roads due to its position on the corner of Ravens Lodge Terrace and Huddersfield Road. The dwellings of Ravens Lodge Terrace, many of which front onto Huddersfield Road, are generally red brick, some with render, and varied detailing. They are consistently set back from the road. While not uniform, there are sufficient commonalities in siting, materials and appearance to create a cohesive, attractive place.
4. Kirklees Local Plan, adopted February 2019 (KLP) Policy LP24 sets out criteria to promote good design. This is supported by the House Extensions and Alterations Supplementary Planning Document, June 2021 (SPD) which sets out general design principles. Paragraphs 128 and 129 of the National Planning Policy Framework (NPPF) support the production of local design guides or codes. While not titled a design guide, the SPD essentially performs the same function, and I therefore attach significant weight to it.
5. The appeal proposal would be substantial in size, being the same height as the host dwelling, a considerable width and not set back from the front elevation. It would be of a similar scale to the host dwelling, contrary to the advice in the SPD. Due to the position of the dwelling on the junction and adjacent to the open space, the extension would be particularly visually prominent on both road frontages. It would visually unbalance the pair of dwellings and would be

discordant with their original, simple design. This would result in harm to the character and appearance of the site and the surrounding area.

6. The SPD specifically identifies that where a street has a clearly defined building line, this should be retained. Although the dwellings on Ravens Lodge Terrace have projecting and recessed elements, there is a clear, linear layout extending along both the front and side of the appeal site. The appeal proposal would interrupt this along the side elevation, resulting in the extension appearing incongruous in the streetscene which would be detrimental to the character and appearance of the area.
7. I observed the extension under construction referred to by the appellant in their appeal statement and noted another similarly extended property in the vicinity. I do not have all of the details of those cases before me, however, due to the siting of these properties in less visually prominent positions, they have a lesser impact on those sites and the surrounding area.
8. In relation to the main issue, the development would have a harmful effect on the character and appearance of the site and surrounding area. For these reasons, the form, scale and layout of the development would not respect or enhance the character of the townscape and would not be subservient to the original building contrary to KLP Policy LP24. It would not create a high-quality beautiful building which, amongst other things, the NPPF states is fundamental to what the planning and development process should achieve.

Other Matters

9. I appreciate the appellant's points that an identical permission was approved in 2017 and that the extension is necessary to accommodate their growing family. However, as that permission has lapsed, it would not in itself justify allowing the appeal proposal which has to be considered on its merits as they exist at this time. Since that decision was taken, new national and local policy has been issued and a detailed SPD produced. I am not bound by the Council's previous decision and have reached my own views as set out above, assessed against the development plan that is in place now.
10. I have taken into account that the appeal proposal would enable the appellant's young, growing family to be more easily accommodated following a recent move to the area, and that their decision to purchase this property was due in part to the previous approval for an extension. These matters have very limited weight and do not therefore outweigh my conclusion on the main issue and the conflict with the development plan as a whole.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed

J Downs

INSPECTOR