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## Appeal Decision

Site visit made on 23 August 2022 by Andreea Spataru BA (Hons) MA

**Decision by Chris Baxter BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 September 2022**

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**Appeal Ref: APP/Z4718/D/22/3301069**

**9 Tweed Close, Birstall, Kirklees, Batley WF17 0PE**

- 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 & Mrs S & J Horsham against the decision of Kirklees Council.
  - The application Ref 2022/62/90319/E, dated 31 January 2022, was refused by notice dated 27 May 2022.
  - The development proposed is described as "erection of dormer to create enclosed roof terrace and application of render".
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### Decision

1. The appeal is allowed and planning permission is granted for the erection of a dormer to create enclosed roof terrace and application of render at 9 Tweed Close, Birstall, Kirklees, Batley WF17 0PE in accordance with the terms of application Ref 2022/62/90319/E, dated 31 January 2022 and subject to the following conditions:
  1. The development hereby permitted shall begin no later than three years from the date of this decision.
  2. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and proposed 3D Views S22367 / P-107, Proposed floor plans S22367 / P-105, Proposed elevations S22367 / P-106, Existing Elevations S22367 / P-104 Rev A, Existing Floor Plans S22367 / P-103, Block Plan S22367 / P-102, Site Location Plan S22367 / P-101.

### Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary matter

3. The description of development above has been taken from the appeal form, as the original description found on the application form has been amended during the application process to include additional works.

### Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host property and the area.
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## **Reasons for the Recommendation**

5. The appeal property is a detached bungalow, with an asymmetric pitched roof, located at the end of a cul-de-sac, within a predominantly residential area. There is a cricket ground directly to the east of the appeal dwelling. Tweed Close contains mostly two-story red brick semi-detached dwellings, however there are dwellings rendered to different degrees, visible within the street scene and within the surrounding area. Different size dormers are also visible within the area.
6. The development includes the erection of a pitched roof dormer to the side, which would be slightly set down from the main roof and set in from the front/rear elevations. Permission is sought retrospectively for the application of render on all elevations, as the appeal dwelling has been rendered prior to the submission of the planning application.
7. Whilst the proposed dormer would add considerable bulk to the side, at the roof level, it would improve the existing proportions of the host dwelling, as there is currently a discrepancy at the roof level in terms of mass due to the asymmetric roof form. Given the siting of the dormer within the roof, the development would be well incorporated, without appearing overly dominant. The matching materials would also facilitate the integration of the dormer within the existing roof.
8. Therefore, the dormer would not be detrimental to the character and appearance of the host dwelling. Whilst it would be visible within the street scene and the surrounding area, particularly from the cricket ground, given its incorporation within the existing roof, and the variety of dormers within the area, the proposed dormer would also blend well within the wider area.
9. In terms of finishes, the mix of brick and render within the surrounding area allows for flexibility. Given the scale of the appeal bungalow, its siting within the street scene, and the variety of rendered dwellings within the surrounding area, I find that the application of render to the appeal property is acceptable in these circumstances. Accordingly, the appeal bungalow does not appear out of context due to its rendered elevations when viewed within the surrounding area.
10. As such, I conclude that the appeal development would not be harmful to the character and appearance of the host dwelling, nor would it be harmful to the character and appearance of the area. Consequently, the development would not conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies, which requires, amongst other things, that extensions are subservient to the original dwelling, and in keeping with the existing buildings in terms of scale, materials and details. The development also accords with the guidance outlined within the KDP1 and KDP2 of the House Extensions and Alterations SPD.

## **Conditions**

11. In the interests of proper planning and to provide certainty I have recommended the standard time limit condition and have specified the approved plans. These conditions have also been suggested by the Council in the event that the appeal was allowed.
12. In addition to these conditions, the Council has also recommended a condition that specifies that matching materials are used in the development. Given that

the proposed materials for the dormer are included within the proposed elevations plans, and thus secured through the approved plans condition, and that the retrospective application for render has been found acceptable, it is not necessary to add a further condition for materials only.

**Recommendation**

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to these conditions.

*Andreea Spataru*

APPEAL PLANNING OFFICER

**Inspector's Decision**

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

*Chris Baxter*

INSPECTOR