



Appeal Decision

Site visit made on 7 September 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 October 2022

Appeal Ref: APP/Z4718/D/22/3301048

27 Albert Crescent, Birkenshaw, Bradford BD11 2EY

- 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 Reilly against the decision of Kirklees Metropolitan Council.
 - The application Ref 2022/62/90418/E, dated 21 January 2022, was refused by notice dated 7 April 2022.
 - The development proposed is a 2 storey 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.

Reasons

3. Albert Crescent is a suburban street comprising of predominantly terraced and semi detached houses. The terraced blocks and pairs of semis are arranged to broadly reflect the curvature of the road with reasonably narrow yet consistent gaps between them. These gaps create visual breaks in the otherwise relatively dense suburban environment. Alongside the arrangement of the dwellings, this provides a degree of coherence to the streetscene. Some of the terraced blocks have first floor additions to the side of the end property with a walkway below. These projections have a simple design, are modest in scale and stepped back significantly from the front elevations, which helps to retain the impression of space between blocks referred to above.
4. The appeal site is an end dwelling in a terrace of four properties with space between it and the neighbouring end terrace property, 25 Albert Crescent. As is typical in the area, due to the angle of the two blocks and their alignment with the road, this space is narrower to the front of the site with the gap increasing to the rear. The gap between the dwelling of No 25 and its boundary is narrow, meaning that most of the space between the two properties is comprised of the land at the appeal site.
5. The proposed two storey extension would predominantly infill the existing gap between the appeal dwelling and its boundary with No 25. This would significantly diminish the visual break in the built form to the detriment of the character of the streetscene. Furthermore, rather than being set back from the front elevation to reflect the modest additions to other dwellings nearby, the

appeal proposal would be flush with the existing elevation. This, alongside the irregular roof form owing to the narrowing of the site, would unbalance the appearance of the terraced block within the streetscene. As the extension would become wider towards the back of the site, it would result in the creation of a large overtly wide gable to the rear elevation. This would give the extension a bulky and dominant appearance that would appear incongruous in views from the open land to the rear.

6. Although I have not been directed to any specific extensions in the locality, I saw a two storey extension at 10 Albert Way. However, I note that this is different to the appeal proposal as it is a semi detached dwelling and is located in a less prominent location at the end of a cul-de-sac. Furthermore, I do not have full details of the circumstances that led to this extension being accepted by the Council and so cannot be sure that it represents a direct parallel to the appeal proposal, including in respect of scale, previously existing development and development plan policy. In any case, I have determined the appeal on its own merits.
7. For the above reasons, the proposed development would be harmful to the character and appearance of the area. It would therefore conflict with Policy LP24 of the Kirklees Local Plan (2019) which, in summary, seeks to ensure new developments preserve character and appearance. There would also be conflict with the provisions of the Kirklees House Extensions and Alterations SPD (2021) which amongst other things sets out that side extensions should be set back at least 500mm from the front wall of the house. Conflict would also occur with paragraph 130 of the National Planning Policy Framework which, amongst other things, seeks to ensure new developments add to the overall quality of the area, are visually attractive and sympathetic to the character and appearance of the area.

Conclusion

8. For the reasons given above, having considered the development plan as a whole, the provisions of the Framework and all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR