



Appeal Decision

Site visit made on 20 December 2022

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2022

Appeal Ref: APP/A4710/D/22/3308291

33 Exley Gardens, Halifax HX3 9EE

- 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 Gareth Blackburn against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 22/00441/HSE, dated 11 April 2022, was refused by notice dated 14 September 2022.
 - The development proposed is two storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for two storey side extension at 33 Exley Gardens, Halifax HX3 9EE in accordance with the terms of the application, Ref 22/00441/HSE, dated 11 April 2022, and the plans submitted with it, 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;

Site plans drawing number 01

Proposed plans and elevations drawing number 03 Rev B
 - 3) The materials to be used in the construction of the external surfaces of the development hereby approved shall match those used on the existing dwelling.

Preliminary Matters and Main Issue

2. The address in the banner heading above is taken from the planning application form, with the exception of the reference to Calderdale which is the Council administrative area in which the appeal site is located, and is not part of the address.
3. The proposal includes a 2-storey side extension and a front porch. The Council has not raised concerns with the front porch. Based on all that I have seen and read, I see no reason to disagree with this point of view. Hence, the main issue of the appeal is the effect of the proposed 2-storey side extension upon the character and appearance of the area.

Reasons

4. The appeal site is located within a residential area with a mixture of 2-storey terraced, semi-detached dwellings and a small number of bungalows to the north. It comprises an end of terrace dwelling forming a corner plot at the junction of Exley Gardens and Backhold Lane.
5. The existing terrace of 6 dwellings has a degree of uniformity and a consistency of rhythm and scale, arising predominantly from the symmetrical positioning of openings and the semi-circular rendered feature above the doors of the 4 central properties. This rhythm is diluted but to a limited extent, by the differing fenestration treatments and mixed front boundary treatments of the individual dwellings within the terrace.
6. The proposed 2-storey side extension would be flush with the front and rear elevations and the ridge height would match that of the host dwelling and therefore the remainder of the terrace. Amended plans were submitted during the application process to reduce the width of the proposed extension but nevertheless, it would remain almost as wide as the host dwelling. Proportionately therefore, it would be a large extension to a relatively modest dwelling. Whilst not subordinate, the proposed extension would nonetheless generally respect the appearance of the existing dwelling, including the position of window openings and the ratio of wall to window.
7. Although it is suggested that the 2 terraces within the street have uniform spacings around them, I saw that the appeal dwelling is an exception given the wider corner plot. Despite the corner location, the proposal would not be unduly bulky or prominent, instead appearing akin in character and proportions to an additional dwelling within the terrace. Moreover, the proposal would respect the form, proportions and rhythm of the terrace, such that it would not in my view, harm the character and appearance of the area.
8. Reference is made to a side extension at 32 Exley Gardens on the opposite corner of Backhold Lane which I saw was under construction. It is suggested by the Council that this site as a semi-detached dwelling does not share the same characteristics as the appeal site. Although I acknowledge that the appeal site comprises a different house type, it shares a number of similarities not least the building line, the position of openings within the front elevation and a wide side garden between it and Backhold Lane. Irrespective, I have found the proposed extension would respect the character and appearance of the host dwelling and its surroundings, as required by Policy BE1 of the Replacement Calderdale Unitary Development Plan 2006 (RCUDP).
9. The Council's evidence suggests that a 3m wide extension would be acceptable but without qualification as to why this would be the case. It is therefore unclear as to what harm the additional 1.2m width of the extension as proposed, would exert. It seems to me that a narrower extension in this particular instance would be more likely to unbalance the appearance of the terrace, including resulting in windows that are positioned more closely together, contrary to the prevalent pattern within the terrace. The plans indicate that the proposed extension would be set in from the side boundary such that the existing hedgerow would remain.
10. Amendments to the plans indicate that the extension would be completed in red brick to match the existing dwelling rather than render as originally

proposed. I saw that the dwelling at the opposite end of the terrace is rendered and there are rendered design features within the terrace. Nonetheless the predominant facing material is that of brick. The amended materials therefore represent an improvement to the original scheme.

11. I find that the proposal would not harm the character and appearance of the area as described above. As such it would comply with Policy BE1 of the RCUDP which seeks amongst other things, to ensure that new development respects the established character and appearance of existing buildings and surroundings in terms of scale, massing and form. The development would also comply with paragraph 130 of the National Planning Policy Framework (the Framework) which, amongst other things, seeks to ensure developments are sympathetic to the local area.

Conditions

12. I have considered the Council's suggested conditions in accordance with the Planning Practice Guidance and paragraph 56 of the Framework. Along with the standard time limit, conditions are imposed to require the use of matching materials in the interests of consistency of appearance, and to list the plans in the interests of certainty.

Conclusion

13. For the reasons identified above, there are no conflicts with the Development Plan when taken as a whole. The appeal is allowed.

M Clowes

INSPECTOR