



Appeal Decision

Site visit made on 5 January 2023

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th February 2023

Appeal Ref: APP/Z4718/D/22/3308240

8 Old Turnpike, Kirklees, Honley, Holmfirth HD9 6PD

- 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 John Calder against the decision of Kirklees Metropolitan Council.
 - The application Ref 2022/62/92294/W, dated 6 July 2022, was refused by notice dated 30 August 2022.
 - The development proposed is Erection of extensions and alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal upon the character and appearance of the area; and
 - Whether or not it would harm the living conditions of the occupiers of Number 10 Old Turnpike by virtue of loss of outlook and sense of overbearing.

Reason

Character and appearance

3. The appeal site is located just outside the Honley Conservation Area (CA). The CA is characterful with its traditional honey coloured stone buildings, narrow cobbled streets and significantly undulating land formation contributes to a specific sense of place. The core of the village contains tight clusters of buildings and has grown organically from this.
4. The appeal site forms part of a modern planned development of about four houses within a gated development. Number 8 occupies a corner position and is built into the slope of the land in a split-level arrangement. All houses are broadly the same design blueprint. Although the site is situated close to the Honley Conservation Area of its own particular character and appearance, it more closely associates with the design characteristics of the immediate buildings.
5. A combination of two storey extensions and single storey elements that wraps around two sides of the appeal property would add considerable scale, bulk and

- mass to the original house. In addition, the proposed flat roof of the side extension would extend from a newly created roof to the original house.
6. The locations of the two storey extensions and use of single storey extensions to bridge them together would appear uncharacteristically disjointed. By virtue of the amount of development proposed, the original proportions of the dwelling would be adversely altered. It would not appear as a subordinate addition to the host dwelling. The combination of roof formations including the addition of a new roof extension would be further at odds with the character of the dwelling.
 7. Cumulatively, they would not lead to a sympathetic or visually cohesive form of development or represent good design. Conversely, it would appear incongruous and out of character.
 8. The site is elevated and located in a prominent position with limited screening from certain public vantage points. Its exposed and elevated position, from my visit to the local area, allows it to be clearly discernible from Honley Bridge and beyond. The incongruous appearance would not make a positive contribution to the character and appearance of the local area. In addition, its visual intrusiveness would have a limited but harmful effect upon the characterful setting of the CA.
 9. The houses brought to my attention by the appellant do not compare to the proposal before me as these are new build houses rather than extensions to an existing dwelling or a different house type.
 10. I appreciate the advantages of an extended home that would arise to the appellant and their family. However, there is no compelling evidence to find in favour of the scheme on these grounds.
 11. Therefore, to conclude on this main issue, the proposed extensions when taken collectively would appear out of character with the host dwelling and detrimental to the character and appearance of the local area by virtue of their scale massing and design. The proposal would therefore conflict with Policies LP24 and LP35 of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document in their combined design aims, and to protect the historic environment. In addition, it would not meet the design objectives and aims to safeguard the historic environment as set out within the National Planning Policy Framework.

Living Conditions

12. Only the rear single storey extension is in dispute between the parties with regards to its impact upon No 10. The length would exceed the Council's recommended guidance as set out in the SPD. However, this guidance should not be applied so strenuously without consideration of proposals on a case by case basis.
13. From my inspection on site, a solid timber fence of approximately 1.8m high separates the two gardens from one another with a set of external steps leading to the original side entrance doors of the houses. This has the effect of creating a greater physical separation between the two houses.

14. From the wide rear ground floor window closest to the appeal site at No 10, the occupants would be able to view the extension. However, even at the length proposed along the party boundary, due to the separation distance and its hipped roof nature, I am not convinced detrimental harm would arise to the outlook of the occupants when experienced from the rear window.
15. The extension would be visible from the neighbour's rear garden, and is of a reasonable size. Even though the extension would be of a substantial mass, the boundary fence would screen a significant portion of it. All things considered, I do not find it would have a loss of outlook or sense of overbearing that would lead to an adverse effect to the living conditions of the neighbouring occupants.
16. Therefore, to conclude on this main issue, the proposed single storey extension along the boundary with No 10 would not result in harm arising to the living conditions of the occupiers. It would thus safeguard the living conditions of adjacent occupants in accordance with Policy LP24 of the Kirklees Local Plan, Policy 2(10) of the Holme Valley Neighbourhood Development Plan, Principles 4, 5 and 6 of the Council's House Extensions and Alterations Supplementary Planning Document. It would meet the broad expectations of the National Planning Policy Framework to protect amenity.

Other Matters

17. The appellant explains that they have a fallback position to use the permitted development rights of the property to extend to a certain extent, and this is a real proposition for them. The appellant may be able to pursue this as an option. Without further information on the matter, and the fact that I must consider the proposal as a whole that requires planning permission, I apportion limited weight to this fallback position.

Conclusion

18. I have found the proposal would result in no harm arising to the living conditions of the neighbouring occupiers. However, with regards to the combination of extensions by virtue of its scale, massing and design to the character and appearance of the dwelling and the local area, it would cause detrimental harm. On this basis, it would lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR

