



Appeal Decision

Site visit made on 28 February 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 20 March 2023

Appeal Ref: APP/Z4718/D/22/3314078

Greystones, 94 Upper Lane, Gomersal, West Yorkshire BD19 4JF

- 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 A Hardill against the decision of Kirklees Metropolitan Council.
 - The application Ref 2022/62/92836/E, dated 31 July 2022, was refused by notice dated 1 November 2022.
 - The development proposed is garden room extension to side.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. There is a discrepancy in the name of the appellant between the application and the appeal forms. However, it has been confirmed that the appellants are Mr and Mrs A Hardill, as listed on the appeal form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the Little Gomersal Conservation Area.

Reasons

4. The appeal site is a stone-built, two storey property which is attached at the rear to No 90 Upper Lane. It has a hipped, stone tiled roof, with a modern two storey extension to the side. The house is located within a corner plot close to the centre of Little Gomersal, with parking to the front of the house, and a garden to the side. The site has a stone boundary wall along Upper Lane, with a hedge to the rear.
5. The site is within the Little Gomersal Conservation Area. This covers the triangular shaped village centre, from where the site can be seen fronted by terraced stone cottages and houses and including The Wheatsheaf public house. The Conservation Area then branches off towards the south-east where it includes detached stone houses and a short row of brick dwellings. The significance of the Conservation Area appears to be linked to the character and appearance of its traditional, solid, coursed stone housing, two storeys in height, which would have formed the original village.
6. The garden room would be built adjoining the side elevation of the house for a depth of 5 metres, thereby covering a substantial part of the gable wall. The

existing gable elevation has a traditional window pattern framed by stone lintels and cills. However, both the proposed side elevation and the front elevation of the garden room would have large amounts of uPVC framed glazing. This would be unsympathetic to the materials and window style found elsewhere in the house, which would harm the appearance of the existing house.

7. The extension's flat roof with a lantern, would, despite the high hedge along the boundary, be visible from the adjoining street. This would introduce a rectangular feature at odds with the hipped roofs and prevailing style of the house and the conservation area. This would undermine the inherent character of the building.
8. Whilst the garden room would be built of stone, and set back from the front elevation, it would be wider than the existing two storey extension. The proportions of the extension, in combination with the flat roof, means that it does not integrate with the building. Instead, the proposal, in combination with the existing extension on the opposite side, results in an unbalanced front elevation which harms the building and its contribution to the area.
9. The building is sited at the edge of the Conservation Area, and is viewed from, and looks towards the centre of the village. Given that I have found that harm would be caused to the character and appearance of the host property, it follows that the contribution that the host dwelling makes to the significance of the conservation area, as a designated heritage asset would be significantly eroded by the proposal. Therefore, the proposal would neither preserve or enhance the character or appearance of the conservation area and would harm its significance.
10. As the changes proposed are localised in terms of the Conservation Area as a whole, the harm to the significance would be less than substantial. Regardless of the level of harm, the Framework indicates that great weight should be attributed to the conservation of heritage assets. In such circumstances paragraph 202 of the Framework requires the harm to be weighed against the public benefits of the proposal. It has not been shown that any benefits from the development would purely be any more than a private benefit and as such this would not outweigh the harm to the designated heritage asset.
11. The proposal would not accord with Policies LP24a and LP35 of the Kirklees Local Plan Strategy and Policies, 2019, which requires development to respect, preserve or enhance the character of heritage assets including proposals within conservation areas. It would also not accord with key design principles 1 and 2 of The Council's House Extensions and Alterations Supplementary Planning Document, June 2021, which requires extensions to residential properties to be in keeping with the local character of the area and the existing building, in terms of scale, materials and detail. Furthermore, it would not accord with the design objectives and conserving and enhancing the historic environment objectives of the Framework.

Other Matters

12. Whilst the use uPVC windows in other buildings have been referred to, I was unable to view them from a public viewpoint and I am also not aware of the exact circumstances within which they came into existence. Nevertheless, they are not representative of the general area and do not, therefore, render this

proposal acceptable. Furthermore, details of other materials that have been discussed between the Council and the appellant are not part of this appeal.

13. Overlooking of neighbouring properties is not a matter of dispute and as I am dismissing the appeal, there is no reason to consider this matter further.

Conclusion

14. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.

15. For the reasons given above, I conclude that the appeal is dismissed,

M J Francis

INSPECTOR