



Appeal Decision

Site visit made on 28 March 2023

by K Winnard LL.B Hons

an Inspector appointed by the Secretary of State

Decision date: 18 April 2023

Appeal Ref: APP/A4710/D/22/3313139

White Chimneys Rawson Avenue Halifax HX3 0LR

- 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 Jag Singh against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 22/01012/HSE, dated 12 September 2022, was refused by notice dated 7 November 2022.
 - The development proposed is a two storey side extension and increased rear extension (single storey).
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council adopted the Calderdale Local Plan (CLP) on the 22 March 2023. As a result the policies that are cited in the reasons for refusal on the Council's decision notice have been superseded by policies within the CLP. The appellant has had the opportunity to comment upon their relevance and accordingly no parties have been prejudiced. I must determine the appeal on the basis of the current Development Plan.
3. The property has been the subject of a previous approval for works including internal alterations, a loft conversion and extensions.¹ At the time of my visit, building works in connection with this approval were ongoing. For the avoidance of doubt I have determined the appeal on the basis of the application as submitted.

Main Issue

4. The main issue in this appeal is the effect of the development on the character and appearance of the host dwelling and the area, having regard to its conservation area status.

Reasons

5. The appeal property, White Chimneys, is a large detached property set behind high boundary walls within the Skircoat Green Conservation Area (SGCA),

¹ Reference 21/01311/HSE

where there is a statutory duty to pay special attention to the desirability of preserving or enhancing the character of the area. In addition, the National Planning Policy Framework (the Framework) states that great weight should be attached to the conservation of designated heritage assets, in this case the SGCA.

6. The Skircoat Green Conservation Area Character Appraisal (Character Appraisal) (February 2006) explains the special characteristic of the SGCA as a demonstration of the expansion of a northern industrial town with residential properties of different late C19th early 20th designs. Rawson Avenue is noted within the Character Appraisal for its wide road with large properties behind high boundary walls. White Chimneys is of a traditional Arts and Crafts style with an uniformity in scale and form with distinctive white chimneys. Whilst set back in its own grounds at the junction of Rawson Avenue with St Ives Road, parts of the building are visible in views from both streets. Given its defining characteristics, the building makes a positive contribution to the character and appearance of the SGCA and thus the significance of the heritage asset.
7. The Character Appraisal provides that alterations or extensions to houses should respect the existing building in terms of scale, materials and details. The proposed side extension at first floor level would introduce a sizeable element of built form. Whilst it would be built upon the existing footprint over the existing link extension and garage, it would, due to its greater bulk and massing have a significantly more dominant visual impact on the surrounding area than the existing building. Notwithstanding that White Chimneys is a sizable building and that the roof pitch and gables of the extension would match the existing design, the increased building width at full two storey height would fail to respect its existing scale and form. The white chimney on the front elevation which currently appears as a defining characteristic of the property would be subsumed in views of the extension and would distort the clarity of form that the chimney currently displays. As such the side extension would fail to respect the character and appearance of the existing building.
8. Whilst the proposed rear extension would not be subject to public views it would erode the space around the rear of White Chimneys, which in this part of the garden, is limited. It would result in a substantial extension inconsistent with the footprint and character of the dwelling. As such it would fail to respect the character and appearance of White Chimneys.
9. I appreciate that the appeal proposal would seek to reuse traditional materials and would retain existing features on the front elevation such as the dentil course. I also acknowledge that the appeal proposal retains a generous garden to the side of the property and that the property is a substantial building. However these matters do not outweigh the harm I have identified in this instance.
10. For the reasons given above I conclude that the appeal proposal would fail to preserve or enhance the SGCA and would be harmful to its significance. Consequently I give this harm considerable importance and weight in the planning balance of this appeal. Given the size and the scale of the proposal within the SGCA as a whole, the harm that would arise would be localised and as a result would be less than substantial within the meaning of the Framework. Under such circumstances, the Framework advises that this harm should be weighed against the public benefits of the proposal. No public

benefits have been put forward in the appeal. The proposal would have private benefits in the form of enlarged accommodation for the occupiers of the property. However, these are not public benefits which would outweigh the totality of the harm to the SGCA and the great weight that has to be given to the conservation of this heritage asset. Accordingly, the proposal would fail to comply with National Policy.

11. I conclude that the proposal would not preserve or enhance the character of the SGCA. It would also cause unacceptable harm to the character and appearance of the property and the area. It would therefore conflict with Policies BT1 and HE1 of the CLP which together require new development to respect and enhance the character and appearance of existing buildings and surroundings, including those which in conservation areas make a positive contribution to its character.

Conclusion

12. For the reasons set out above and having regard to all other matters raised I dismiss the appeal.

K Winnard

INSPECTOR