



Appeal Decision

Site visit made on 26 April 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2023

Appeal Ref: APP/Z4718/D/23/3315479

10 Laithe Croft Road, Batley WF17 6LY

- 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 Z Malik against the decision of Kirklees Council.
 - The application Ref 2022/62/93368/E, dated 12 October 2022, was refused by notice dated 12 December 2022.
 - The development proposed is first floor side 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 host dwelling and the surrounding area.

Reasons

3. No.10 Laithe Croft Road (No.10) is a two-storey, semi-detached dwelling located on the northern side of Laithe Croft Road. To the side is a ground floor extension the depth of the existing dwelling, but set well back from the front elevation behind an undercroft. The proposed development would involve the erection of a first floor extension over this existing extension, and extending to the front elevation of No.10 over the undercroft. The extension would have a hipped roof with its eaves and ridge aligning with the roof of the host dwelling.
4. The Council's *House Extension and Alterations Supplementary Planning Document (2021)* (SPD) sets out detailed guidance to achieve a well-designed house extension. Key principle 1 of the SPD requires that extensions to residential properties should be in keeping with the appearance, scale, design and local character of the street scene. Key principle 2 sets out that extensions should not dominate or be larger than the original dwelling and should be in keeping with the existing building in terms of scale, materials and details. Paragraph 5.22 of the SPD requires, amongst other things, that first floor extensions are set back at least 500mm from the front of the original dwelling, the ridgeline is lowered and a gap of at least 1m is retained to the boundary.
5. Because the proposed development would extend above the existing ground floor extension, it would not encroach any closer to the boundary with the non-attached neighbour at No.8 Laithe Croft Road (No.8). However, in being set right on the front elevation and continuing the ridge of the existing roof, the

proposed extension would be an unsympathetic, prominent addition that would fail to appear as subservient to the host dwelling, at odds with the SPD guidance.

6. I observed on my site visit that Laithe Croft Road is characterised by fairly evenly and well-spaced pairs of semi-detached dwellings, and whilst there are examples of two-storey extensions, these have retained an undercroft to the side maintaining a sense of space. The existing ground floor extension is well set back, and by building at first floor up to the front elevation, there would be an obvious and significant increase in mass that would visually fill the space between No.10 and its neighbour, No.8. This would be incongruous with the spacing of dwellings I describe, in conflict with SPD paragraph 5.21 which recognises the importance of providing a sense of space, and would be to the detriment of the character and appearance of the local area.
7. I therefore conclude that the proposed development would cause harm to the character and appearance of the host dwelling and surrounding area. Consequently, in addition to the conflict with the SPD, it would conflict with Policy LP24 of the Kirklees Local Plan (2019) which requires good design by ensuring a form, and scale of development that respects and enhances the character of the townscape and extensions that are subservient to the original building. It would further conflict with paragraph 130 of the National Planning Policy Framework (2021) which requires planning decisions to ensure development is sympathetic to local character.

Conclusions

8. For the reasons given above, I conclude that the appeal should be dismissed.

R Jones

INSPECTOR