



Appeal Decision

Site visit made on 23 August 2023

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2023

Appeal Ref: APP/Z4718/D/23/3325532

1 Malham Drive, Robbertown, Liversedge WF15 7QR

- 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 C Dransfield against the decision of Kirklees Council.
 - The application Ref 2023/62/90985/E, dated 29 March 2023, was refused by notice dated 20 June 2023.
 - The development proposed is erection of single storey side and rear extension and detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of single storey side and rear extension and detached garage at 1 Malham Drive, Robbertown, Liversedge WF15 7QR in accordance with the terms of the application, 2023/62/90985/E, dated 29 March 2023, 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: Existing Location and Layout – drawing ref. 2212/100; Existing Elevations – drawing ref. 2212/101; Existing Layouts – drawing ref. 2212/102; Proposed Location and Layout – drawing ref. 2212/110-A; Proposed Elevations – drawing ref. 2212/111-A; and Proposed Layouts – drawing ref. 2212/112-A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. The address in the banner heading above has been taken from the Council's decision notice, as this was incorrectly given as No.15 Malham Drive in the planning application form. However, the drawings accompanying the planning application, including the Site Location Plan, correctly show the address as No.1 Malham Drive and this is the address given by the appellant on the appeal form.
3. My attention has been drawn by both parties to planning permission granted by the Council in March 2023 (2022/62/92747/E) for a similar proposal as now before me, which included the construction of the detached garage and new

access. The Council have raised no issue in respect of these elements of the current proposal and my consideration has therefore concentrated only on the proposed side and rear extension.

Main Issue

4. The main issue in this case is the effect of the proposed single storey side and rear extension on the character and appearance of the host bungalow and wider area.

Reasons

5. No.1 Malham Drive (No.1) is a semi-detached bungalow with a simple pitched roof, occupying a corner plot at the junction of Malham Drive and Milton Way. The garden of No.1 is set back from Milton Way behind a garden, which wraps around the front and side, with the existing front door on this flank elevation. It is proposed to construct a side extension which would project around 1.5m from this flank, but would be set back behind the principal elevation to Malham Drive.
6. I observed on my site visit that there is no strong building line to Milton Way, rather the streetscene and wider residential area is characterised by a relatively loose pattern of development of bungalows and houses. Although extending marginally closer to Milton Way, the side extension would have a pitched roof which would be below the ridge of the existing gable. It would therefore appear a modest addition to the host bungalow and would assimilate well with the existing pattern of development.
7. The proposed side extension would wrap around to a rear extension which itself would project around 4m from the existing rear elevation of the bungalow. The extension would be finished in brick to match the existing, with a gable with large areas of glazing. The ridge of this gable would be around 4.4m in height (so the same height as the existing roof) and because of No.1's corner plot, it would be visible from Melton Way above its eaves. Despite projecting beyond the existing flank elevation (so closer to Melton Way), the proposed rear extension would nonetheless appear of a scale proportionate and sympathetic in design to No.1, particularly when viewed in the context of the bungalow at No.47 Child Lane which also has a gable parallel to the road.
8. I therefore conclude on the main issue that the proposed side and rear extension would cause no harm to the character and appearance of the host bungalow or the wider area. The proposal would accord with Key Design Principles 1 and 2 of the Council's *House Extensions and Alterations Supplementary Planning Document (2021)* because it would be in keeping with the appearance, scale, design and local character of the area and would not dominate the original bungalow. It would further accord with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019) which promotes good design by ensuring the form, scale, layout and details of all development respects the character of the townscape and extensions are subservient to the original building.

Conditions

9. I have imposed conditions relating to the commencement of development and details of the approved plans for the avoidance of doubt. I have also included a condition in relation to materials in order to provide a satisfactory appearance.

The Council have suggested a condition requiring the surfacing and drainage of the approved vehicle parking areas to meet specified guidance. I saw on site that there is already paving for car parking and a motorhome parked in the location of the garage. I have no evidence before me as to why the suggested condition is necessary in this case, and note that it was not imposed on the earlier planning permission. Consequently, it has not been imposed here.

Conclusion

10. For the reasons given above, I conclude that the appeal should be allowed.

R. Jones

INSPECTOR