



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/23/3323979

12 Cross Park Street, Batley WF17 5NX

- 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 Imran Patel against the decision of Kirklees Council.
 - The application 2023/62/90401/E, dated 7 February 2023, was refused by notice dated 18 April 2023.
 - The development proposed is erection of single storey front extension and extension to rear with basement room and covered parking area with terrace above.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description in the banner heading above has been taken from the Council's decision notice, as it provides a more accurate description of the development before me than the description provided on the planning application form.

Main Issue

3. The main issue in this case is the effect of the single storey front extension and extension to the rear on the character and appearance of the host dwelling and wider streetscene.

Reasons

4. No.12 Cross Park Street (No.12) is a two-storey dwelling that forms part of a short terrace on the south side of Cross Park Street, and returning to Bridge Street. I observed on my site visit that the terrace is generally uniform in its appearance, stone brick, with a similar rhythm and design of fenestration and heavy lintel detailing. The ridge heights of dwelling within the terrace differ, which adds some articulation and variety, but the front building line is continuous.
5. The Council's *House Extensions and Alterations Supplementary Planning Document (June 2021)* (SPD) explains that front extensions are highly prominent in the streetscene and can erode the character of the area if they are not carefully designed. Common with its neighbours, to the front, No.12 is set off the back edge of the pavement behind a low stone and brick wall which steps as Cross Park Street falls in levels toward Bridge Street. It is proposed to infill this area with a single storey extension projecting around 1.5m from the front elevation of No.12 and across its full width.

6. By projecting forward of its neighbours, albeit by a modest depth, the continuity of building line I describe above would be lost and the proposed extension would appear unduly prominent and incongruous in the streetscene. Further, although proposed to be finished in stone, the proposed roof would have a shallow pitch with a gabled detail over the proposed front door, a glazed panelled surround to the front door and portal window. Rather than enhancing the streetscene, these design elements would fail to assimilate well with neighbouring properties and the characteristic rhythm of fenestration and therefore uniformity of the terrace would be lost, eroding its character.
7. Because of the topography of the area, with levels falling south, the existing rear of No.12 is built over three-storeys with a lower ground floor level accessed from a small open yard, currently used for car parking. It is proposed to extend at this lower ground level to provide a children's play area/study, accessed from the dining room, and an undercroft parking space, both with a terrace above.
8. The SPD guidance is that single storey extensions should be in keeping with the scale and style of the original dwelling, should not normally cover more than half the total area around the original dwelling and not project out more than 3m from the rear wall (for a terraced dwelling). Inconsistent with this guidance, the proposed rear extension would project around 4.9m from the existing rear elevation of No.12 and across much of its width, all but filling the small open yard and plot. Although projecting further than the SPD guidance, the children's play area/study, with terrace above, would broadly align with the rear elevation of No.5 Bridge Street which returns the corner of the terrace, with No.5a occupying a two-storey outrigger to the rear. Because of this outrigger, this part of the extension would not be particularly visible from Bridge Street and would not in itself dominate the rear elevation of the host dwelling.
9. However, the undercroft of the parking area with its narrow stone column on the party wall with the neighbour at No.16 Cross Park Street would be very prominent from Bridge Street. The height and extent of the obscure glazed balustrade would increase that prominence and would fail to assimilate well with the simple, traditional building form and design of the rear elevation of the terrace. In combination, I find the proposed children's playroom/study and undercroft car parking extending almost the full width would result in a structure that dominates the host dwelling.
10. Whilst I note that there have been no objections from neighbours to the proposal, this does not itself mean that there is an absence of harm. On the main issue, I therefore conclude that the proposed front and rear extension would cause harm to the character and appearance of the host dwelling and wider streetscene.
11. Consequently, it would conflict with the design principles of Chapter 12 of the National Planning Policy Framework and both Key Design Principle 1 and 2 of the SPD which require extensions to residential properties to be in keeping with the appearance, scale, design and local character of the streetscene, and not to dominate the original dwelling. It would also conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019) which, amongst other things, requires extensions to be subservient to the original building and to be in keeping with the existing building, in terms of scale, materials and details.

Conclusion

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

R Jones

INSPECTOR