



Appeal Decision

Site visit made on 1 May 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09.05.2024

Appeal Ref: APP/Z4718/D/24/3338967

36 Moorside End, Dewsbury WF13 4QN

- 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 Mrs Shabina Rafiq against the decision of Kirklees Metropolitan Council.
 - The application 2023/62/93426/E dated 4 November 2023, was refused by notice dated 19 January 2024.
 - The development proposed is erection of two storey side and single storey rear extensions with rear dormer and loft conversion with alterations.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council changed the description of development from that stated on the application form. In the interests of clarity, I consider that the amended description accurately describes the appeal scheme and accordingly I have adopted an amended description in the heading above.

Main Issue

The main issue in this appeal is the effect of the development on the existing property and the character and appearance of the area in general.

Reasons

3. The appeal site lies within a predominantly residential area, at the end of a cul-de-sac. Properties in the area generally comprise semi-detached bungalows and traditional two storey terraced properties. The appeal site is an end terraced property.
4. The House Extensions and Alterations SPD (2021) (the SPD) highlights amongst other things that two-storey side extensions should ideally be visually smaller in relation to the original house and should include a setback to provide a vertical break. Whilst a set back has been proposed at first floor this is minimal. The proposed single storey front extensions would elongate the property and would negate the first floor set back.

5. The existing roof would change from hip to gable to accommodate the substantial rear dormer, the proposed two storey side extension would attach awkwardly to the newly former gable.
6. The two-storey side extension would extend beyond the rear elevation of the existing property creating a two storey rear extension. The proposed roof design, including the contrived rear roof design of the two-storey extension would be incongruous to the surrounding area.
7. The substantial dormer would be bulky and out of keeping with the existing property. Due to the location of the appeal site in the street the majority of the proposed development would not be an obvious feature, notwithstanding this the proposed roof design, elongated frontage would be a discordant feature which would be incongruous to the host property and the surrounding area.
8. The Council do not raise concern with regard to the ground floor rear extension from the information I have before me I do not disagree.
9. Notwithstanding this the proposed extension and alterations are extensive and not subordinate to the existing property. The proposed development would be incongruous to the existing property and area in general. I find that the proposed development would harm the existing property and the character and appearance of the area in general.
10. There is conflict with Policies LP24 of the Kirklees Local Plan Strategy and Policies (2019) which seeks amongst other things for developments to respect the character of the townscape and be subservient to the original building in term of scale, materials, and details. Similarly, there is conflict with key design principles 1 and 2 of the SPD which echo the aims of Policy LP24.
11. There is conflict with the Framework which seeks amongst other things to ensure good design of developments.

Other Matters

12. The appellant has highlighted that the proposed development is required due to the personal circumstances of the occupants. I have had regard to the comments raised. I have not been provided with demonstrable evidence to confirm that an alternative development could not be provided to meet the needs of the occupants.

Conclusion

13. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR