
Appeal Decision

Site visit made on 13 May 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd May 2024

Appeal Ref: APP/Z4718/D/24/3339349

57 Nab Lane, Mirfield, West Yorkshire WF14 9QH

- 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 Craig Jones-Stanley against the decision of Kirklees Council.
 - The application Ref 2023/62/92739/E, dated 13 September 2023, was refused by notice dated 8 December 2023.
 - The development proposed is demolition of existing garage and replace with two storey side extension, single storey rear extension and dormers to the front and rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The proposal would result in the continuation of the two storey roof to provide a two storey side extension. The existing and proposed roof would contain three forward facing pitched roof dormers. These roof structures would dominate the form of the roof. They would represent particularly poor design given their overall bulk; their uncharacteristic shallow roof pitch; their height relative to the ridge; their positions relative to the windows below; and the relationship of structure to glazing including the separate twin window detailing. Although the character of this road is very mixed in terms of architectural design and there are other dormer windows present in the locality, these proposed structures would detract from both the character and appearance of the house and the wider area.
 4. Although the side extension would be set marginally back from the main building line this would not be sufficient to clearly distinguish it from the main form of the house, particularly given the matching ridge height and roof form. The extension would change the proportions and form of the house. It would become more dominant within the plot and in relation to the neighbouring property. Whilst that dwelling has also been substantially extended, the form of the extended roof ensures that the addition appears subordinate and retains high level separation with the appeal site due to the hipped roof.
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5. The shorter depth of the front facing roof of the side extension would emphasise the incongruous appearance of the dormer window and increase its perceived dominance. The rear dormer would extend across the entire elevation which would ensure that the cheeks would be apparent from the street. This would also detract from the form and appearance of the dwelling and would represent poor design. These matters add to my concerns with regard to the front facing dormers.
6. Overall, the combination of elements proposed would represent poor design that would detract from the character and appearance of the area. It would therefore be contrary to policy LP24 (a & c) of the Kirklees Local Plan 2019 as the form, scale, layout and details of the development would fail to respect or enhance the character of the townscape; and would not be subservient to the original building. There would also be conflict with Key design principles 1 and 2 of the House Extensions and Alterations Supplementary Planning Document 2021 as the works overall would not be in keeping with the appearance, scale, design and local character of the area or the street scene; and the dormers would dominate the appearance of the property. The National Planning Policy Framework 2023 is clear that development that is not well designed should be refused.
7. I note the appellant's concerns with regard to the planning application process and correspondence with the council; and the changes undertaken and being considered at the time of the decision. However, I can only consider the proposal before me.
8. The extension would replace the existing garage with a more functional parking space which would be a benefit, as would the more efficient use of the site in general. The improved internal layout and energy efficiency improvements would also be positive. It is acknowledged that the existing roof conversion is far from ideal, as illustrated by the photographic evidence and that both front and rear dormers would be necessary to address difficulties with regards to restricted head room in order to provide the full amount of accommodation proposed. It is also acknowledged that achieving roof space accommodation within both the original house and the extension would be necessary to meet the appellant's requirements and to assist with the potential need for multi-generational living.
9. Reference has been made to other decisions made by the council in the area. The decision at 60 Manor Park relates to an entirely different style of house. I was able to view properties locally and have had regard to the images submitted. Whilst there are structures, including dormers, which appear to be at odds with both the properties that accommodate them and the street scene, the circumstances that led to these are not clear. I did not find any front dormer windows that shared exactly the proposed design shortcomings. I am mindful that large rear and side dormers may have been the result of permitted development rights but as the rear dormer, in this case, requires planning permission, its design and wider impact must be considered. I acknowledge however, that a smaller rear, box style dormer at the appeal property may be possible under permitted development rights as alluded to by the case officer and I have had regard to this during my considerations.

10. I have had regard to the submissions and correspondence provided by the appellant; and I am mindful that no objections to the proposal were received. Whilst there are a number of matters that weigh in favour of the development, including the economic benefits of such works, they are not sufficient to outweigh my concerns with regard to the current design. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR