
Appeal Decision

Site visit made on 3 January 2025

by **S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 07 January 2025

Appeal Ref: APP/A4710/D/24/3351269

The Cob, Elland Road, Ripponden, Sowerby Bridge, Calderdale, HX6 4HW

- 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 Pete Bell against the decision of Calderdale Metropolitan Borough Council.
 - The application is reference 24/00414/HSE.
 - The development proposed is a single storey front and side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey front and side extension at The Cob, Elland Road, Ripponden, Sowerby Bridge, Calderdale, HX6 4HW in accordance with the terms of the application ref: 24/00414/HSE, subject to the following conditions: -
 - (1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - (2) The development hereby permitted shall be carried out in accordance with the following plans: 2085-24-A; 2085-24-B and 2085-24-C
 - (3) The materials to be used in the construction of the external plinth of the development hereby permitted shall match the stone used in the host building.

Procedural Matter

2. A new National Planning Policy Framework was published in December 2024 (the Framework). This replaces the previous version of the Framework, published in December 2023. So far as the main issues are concerned, the 2024 Framework remains essentially unaltered relative to the December 2023 version. Therefore, it has not been necessary for me to seek comments from the main parties in respect of the 2024 Framework.
3. The appellant has described the proposed development as a single storey extension whereas the local planning authority (LPA) refers to it as a single storey front and side extension. I have used the latter description in the banner heading and decision as it more accurately describes the development proposed.
4. The LPA, in its officer report, considers that the submitted plans do not fully indicate the proposed extension and its relationship with No. 26 School Lane, and it estimates that the side extension is closer to the common boundary than is indicated on the submitted plans. However, the LPA did not seek amended plans,

and it determined the application based upon those submitted. In its officer report, the LPA states that it took this matter into account when assessing the proposed development. I have determined the appeal based upon the submitted plans and upon my observations during my site visit.

Main Issues

5. The main issues are the effect of the proposed development upon (i) the living conditions of the occupiers of No. 26 School Lane by reason of privacy, and (ii), the character and appearance of the host property and the pair of semi-detached houses of which it is part.

Reasons

Living conditions

6. The host property is a semi-detached dwelling located in a residential area where land levels amongst adjoining houses vary considerably.
7. The proposed development is for what the LPA describes as a single storey front extension (shown as the east elevation on the submitted plans) and a wrap - around side extension and where the latter occupies approximately half the length of the said side elevation. Therefore, It would be set back from what is described as the west facing, (rear) elevation, and like the host building itself, its floor level at this point would be raised on a plinth of approximately a door's height. It would include external stairs and a small external terrace at the point where the extension would be set back, facing towards the rear elevation of the house and towards No. 26 School Lane. The host property currently includes raised decking on its rear elevation of approximately the same height as the floor level to the proposed extension when also facing towards No 26 School Lane.
8. Currently, there are views towards No 26 School Lane from a small side window in the lounge of the host property and from the existing decking. Notwithstanding that the proposed side extension would be set back from the rear elevation of the host property, the LPA considers that, by extending the property sideways, it would further the overlooking of the rear to No. 26 School Lane and its associated amenity space.
9. On my site visit, I was able to see that No. 26 School Lane is sited at a much lower level, and the steepness of the contours and the general lie of the land, together with the intervening boundary fencing, means, in my judgement, that the view from the proposed extension towards No 26 School Lane, including from the small proposed terrace, would be mainly confined to its main roof and the glass roof of its rear extension. Even if there were to be any additional overlooking, I consider that it would not be so significantly different to the current situation. Moreover, I note that the occupiers of No 26 School Lane have not objected to the proposed development.
10. Therefore, I conclude that the proposed development would accord with Policy BT2 of the Calderdale Local Plan 2023 (LP) which aims to protect the privacy of adjoining occupiers regarding new development and with chapter 12 of the Framework which requires a high standard of amenity for existing and future users.

Character and appearance

11. The host property is stone built with a pitched roof, though it has a small flat roofed porch with white coloured external walls, while there are detached garages immediately facing it which also have white external walls.
12. The proposed extension on the eastern elevation (front) to the property has an approximate depth equivalent to the existing white coloured porch and it does include a plinth which, by the imposition of a condition, would match the stonework of the host property. The plinth would continue along the side elevation of the property where it would have vertical boarding above it.
13. The proposed extension and its design would not be particularly visible from the public domain, though I acknowledge that this would be no reason for the acceptance of poor design. On balance and considering the limited length and depth of the proposed extension in relation to that of the host property, including the use of various external materials, some to match that of the existing dwelling, I consider that the extension would assimilate sufficiently well with the host property.
14. Therefore, I conclude that the proposed extension would accord with LP policies BT1 and GN4, and with chapter 12 of the Framework, all of which aim to ensure that development is of a high design quality which respects or enhances the character and appearance of existing buildings and their landscape settings.

Conditions

15. I have imposed the standard time condition, and a condition to ensure that the development is in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. In the interests of good design, it is necessary to impose a condition relating to external materials.

Conclusion

16. There are no material planning considerations that indicate the application should be determined other than in accordance with the development plan. Therefore, the appeal should be allowed.

S. Hartley

INSPECTOR