

PLANNING APPEAL STATEMENT

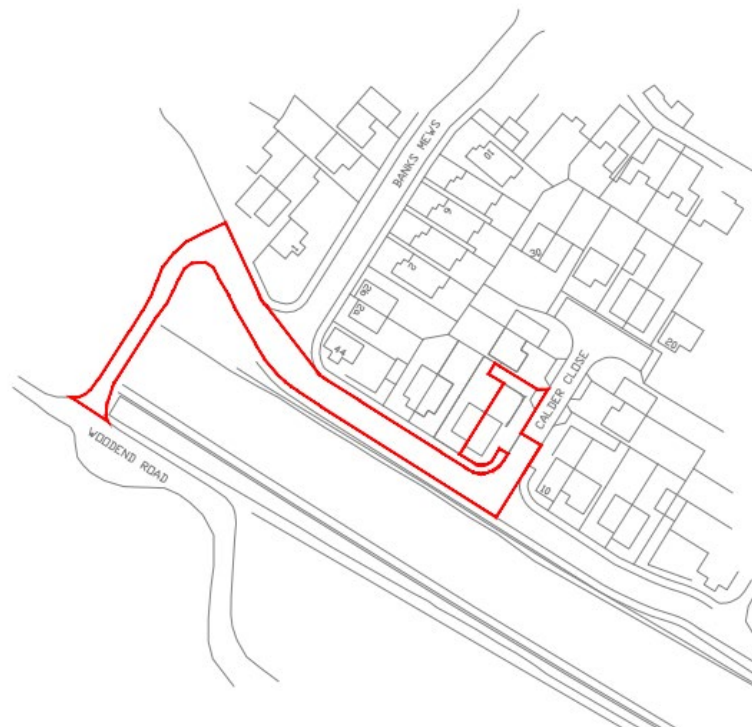
APPEAL AGAINST CONDITION 2 (*THE DEVELOPMENT HEREBY PERMITTED SHALL BE CARRIED OUT IN COMPLETE ACCORDANCE WITH THE PLANS AND SPECIFICATIONS SCHEDULE LISTED IN THIS DECISION NOTICE, EXCEPT AS MAY BE SPECIFIED IN THE CONDITIONS ATTACHED TO THIS PERMISSION, WHICH SHALL IN ALL CASES TAKE PRECEDENCE*) OF KIRKLEES METROPOLITAN COUNCIL APPROVAL TO GRANT PLANNING FOR "ERECTION OF TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION "
AT 36 CALDER CLOSE, MIRFIELD, WF14 8JG
REF 2022/62/93105/E.

Date: JANUARY 2023**Project REF: ODS 21/431**

1.0 INTRODUCTION

1.1 This appeal statement has been prepared on behalf of Mr & Mrs Rounding following the amendments made to the originally submitted scheme by Kirklees Metropolitan Council for a two storey side and single storey rear extensions, associated internal and external works at 36 Calder Close, Mirfield, WF14 8JG.

1.2 The appeal property is a semi-detached new build house on a corner plot fronting Calder Close and Calder View in a well-established residential area. The property benefits from off street parking and has generous amenity space to the front, side and rear. The principal elevation fronts Calder Close and the South elevation fronts Calder View. To the West is the adjoining, semi-detached property.



LOCATION PLAN.
1:1250

2.0 APPLICATION SITE THE SUBJECT OF THIS APPEAL

2.1. The application, the subject of this appeal was validated by the council on 30th Sept 2022 and included plans and elevation of the existing and proposed development.

2.2. The proposal sought to extend the existing property to provide high quality spaces and design fit for family life providing sustainable and long term use for the application site as a home that is better suited to the needs of the applicant.

2.3 The proposal sought to extend the first floor to create space for an additional bedroom space and at ground floor to create more suitable entry, utility and kitchen/living space.

2.4 We set out below the existing and proposed development.

2.5 Following consideration by the council, the originally submitted plans required amendment to remove the front extension entirely as the council deemed it overbearing

*Due to the constraints on the site, we are unable to find a suitable alternative to provide first floor accommodation to the dwelling which would accord with the Kirklees Development Plan.
Any alterations to the front would not be considered acceptable.*



EXISTING SIDE ELEVATION
1:100

EXISTING REAR ELEVATION
1:100

EXISTING SIDE ELEVATION
1:100

EXISTING FRONT ELEVATION
1:100

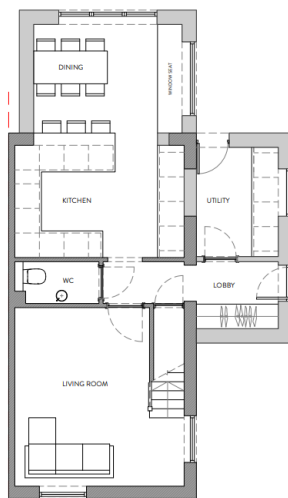


PROPOSED SIDE ELEVATION
1:100

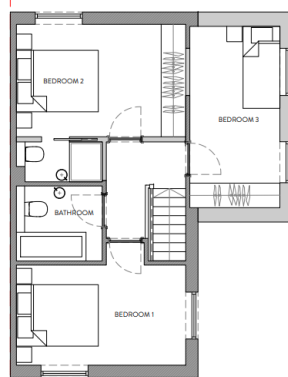
PROPOSED REAR ELEVATION
1:100

PROPOSED SIDE ELEVATION
1:100

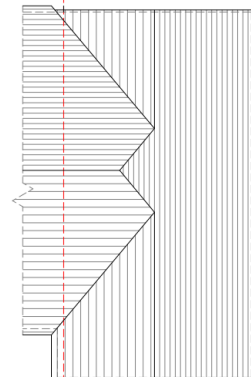
PROPOSED FRONT ELEVATION
1:100



EXISTING GROUND FLOOR
1:50



EXISTING FIRST FLOOR
1:50



EXISTING ROOF PLAN
1:50

2.. Following consideration by the council, the application was refused on the 9th of November 2022 for the following reasons :

1)Due to the scale, design and location, the side extension would not appear subservient to the host and would extend forward of Farrar Drives building line, resulting in an obtrusive addition detrimental to the appearance of the host building and wider street scene. To permit the side extension would be contrary to Policy LP24 of the Kirklees Local Plan, KDP1 and KDP2 of the House Extensions SPD and Chapter 12 of the National Planning Policy Framework.

3.0 RELEVANT PLANNING HISTORY

3.1 'Erection of two storey side and rear extension with associated external works' - 2022/62/91332/E

4.0 PLANNING POLICY

4.1. Given the application was approved, this appeal will relate solely to condition 2 in order to revert the approved plans back to those that were originally submitted. Therefore, subsequent comments will relate primarily to the two storey front extension that was previously proposed and it's reasons for omission.

POLICY LP24 DESIGN

Good design should be at the core of all proposals in the district and should be considered at the outset of the development process, ensuring that design forms part of a pre-application consultation of a proposal. Development briefs, design codes and masterplans should be used to secure high quality, green, accessible, inclusive and safe design, where applicable. Where appropriate and in agreement with the developer, schemes will be submitted for design review.

Proposals should promote good design by ensuring :

- a. The form, scale, layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape*
- c. extensions are subservient to the original building, are in keeping with the existing buildings in terms of scale, materials and details and minimise impact on residential amenity of future and neighbouring occupiers.*

HOUSE EXTENSIONS SPD. 4 GENERAL DESIGN PRINCIPLES

The council will encourage proposals for house extensions and alterations to implement the key design principles relating to development context, character and the relationship with the built environment. Proposals should aim to achieve a balance between these principals to create sustainable, well designed extensions which will have a positive impact on the quality of life of both occupiers and neighbours.

HOUSE EXTENSIONS SPD - KDP1

Extensions and alterations to residential properties should be in keeping with the appearance, scale, design and local character of the area and street scene.

HOUSE EXTENSIONS SPD - KDP2

Extensions should not dominate or be larger than the original house and should be in keeping with the existing building in terms of scale, materials and detail.

SPD 5.15

Side extensions should be located and designed to minimise the impact on the local character of the area. The design should reflect the design of the original building in terms of roof style, pitch, materials and detailing.

SPD 5.19

Two storey side extensions can have a significant effect on the character of the original

house and street. Adequate space between buildings should be retained to provide a sense of space which is important to the character of an area.

SPD 5.23

On corner plots, side extensions should be considered as both side and front extensions and as such will relate to both street frontages. Therefore both elevations should be designed as street frontages. On corner plots, side extensions should contribute to the local character by ;

facing in both directions to create two frontages, each with windows overlooking the street

being set back from the building line on both streets,

following the boundary treatment along both streets, in relation to its position, height and materials.

NPPF 12.

Achieving well designed spaces

The guidance and additional details on Local Plan policies set out in the SPD are produced on the principle of "comply or justify "

The council expects proposals for new house extensions to comply with the guidance and key design principles .

Proposals which depart from the guidance set out in the SPD will need to provide full justification. The council will be flexible where innovative and contemporary designs which enhance the appearance and character of an area are proposed.

5.0 COMMENTS IN SUPPORT OF THE APPEAL

5.1 Given the initial reason for refusal and the subsequent removal of any front extension, the main issues in this appeal relate to the incongruous addition to the street scene and the detracting away from the character of the host dwelling and street scene.

5.2 The street scene on Calder Close on both sides of the road consists of a collective mix of house types, with red brick and gabled roofs.

The proposed front extension mirrored the appearance of other house types in the development, that have a two storey front projection, with covered porch off, to ensure that the extension would not appear out of place. This extension was to be in matching materials to the host dwelling and have a ridge level set down to ensure it was subservient and of the same pitch as the rest of the property. It is therefore considered that the extension would not subtract from the host dwelling or any other dwelling in the development, given there are already multiple house-types with identical primary elevations.

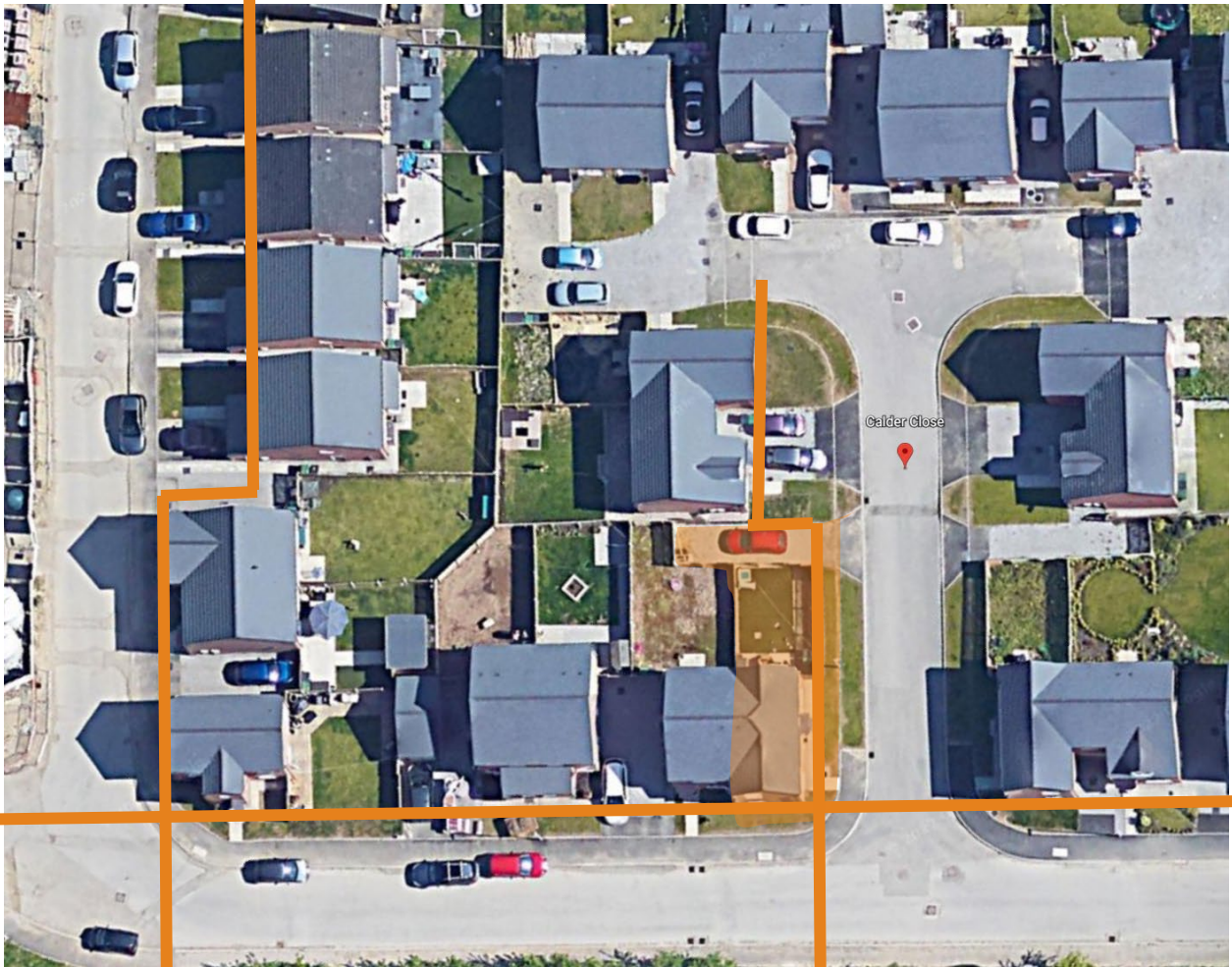
5.3 Para 4.3 of the SPD states: *Where a street has a clearly defined building line this should be retained. Extending forward from the streets building line will only be appropriate in certain circumstances and will be assessed on the merits of the application.*

Although the property is a corner plot, only one side has a clearly defined build line as shown below. The extension is to be sited on the front elevation, that does not have a clearly defined build line. Other corner plots (as shown in below image) are sited closer to the highway, with projecting two storey front extensions that abut the pavement. It is therefore considered that the original proposal would not go against Kirklees guidance on corner plots and should be deemed acceptable, especially given house types of this nature are already deemed acceptable.

ORANGE.

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Build Lines 

5.4 LP24.a - KDP1 - SPD 5.15 & 5.19

As demonstrated by the attached photographs of surrounding properties, the extension echoes the scale and massing of the numerous extended properties in the immediate neighbourhood and is therefore in keeping with the local character of the area.



5.5 LP24.c - KDP2

the additional complimenting front gable main feature on the extension is lower than the original roof with the proposed use of matching materials accepted by the planning officer together with matching eaves, verge and barge board details the extensions will be in keeping with the original building.

In addition there is a significant level difference in ridge heights in the region of 3m between the host and the next dwelling block encountered (Nos 33 & 35) some 22m away. Also there is a fenced off electricity substation separating the properties and an established trees and bushes up to 5m high on the hosts curtilage running along the rear boundary of the host plot to the highway edge which is to be retained, providing a distinct visual break to the street scene adjacent to the curve in the road.

These existing conditions are clearly less impactful than those deemed to be considered acceptable in terms of Para 5.23 of the SPD on application 2022/90383 as highlighted above in

6.0. RECCOMENDATIONS FOR DESIGN CHANGES

As previously referenced, the purpose of this appeal would be to revert back to previously submitted plans to extend at the front of the property.

7.0 CONCLUSION

7.1. For the above reasons the inspector is respectfully requested to allow the appeal.