



Appeal Decision

Site visit made on 3 January 2024

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2024

Appeal Ref: APP/Z4718/D/23/3330175

690 Bradford Road, Fixby, Huddersfield HD2 2JY

- 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 Harbinder Johal against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2023/62/91595/W, dated 30 May 2023, was refused by notice dated 26 July 2023.
 - The development proposed is single storey rear extension, two storey side extension with integral garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) in December 2023. Those parts of the Framework most relevant to this appeal have not been significantly amended. Therefore, I am satisfied that there is no requirement to seek further submissions from the main parties on the revised Framework.

Main Issue

3. The main issue is the effect of the development proposed on the character and appearance of the host property and the surrounding area.

Reasons

4. The appeal property is a two storey semi-detached dwelling situated within a row of residential properties on the eastern side of Bradford Road on the edge of the settlement. It is set back from the road behind a wall, fence and gates with a driveway to the front. The property is constructed in stone and slate and features a hipped roof, two gables to the front elevation, bay windows and large chimney stacks. The site is bounded by the attached neighbouring property, 688 Bradford Road, to the south east, which is of similar design to the appeal property, and by 692 Bradford Road, a two storey detached dwelling to the north west.
5. The surrounding area is predominantly residential and is characterised by detached and semi-detached dwellings, which vary in size and design and many appear to have been extended. They are generally set within large, landscaped plots with generous gaps between them. In combination with the wide dual carriageway with a central grassed verge, and surrounding

countryside to the north and east, this results in a spacious feel which contributes positively to the character of the area.

6. The proposed two storey extension would feature a hipped roof and a pitched gable to the front elevation, which would broadly reflect the character of the existing building, and it would be constructed in sympathetic materials. I also acknowledge that the proposed two storey extension would clearly have a smaller footprint than the existing building. The proposed lean-to canopy would create a visual break between the garage and the first floor to the front elevation of the side extension. Nevertheless, it would not be set back from the front of the dwelling and the extended roof would not be set below the existing ridge. The new projecting front gable would compete with the existing gable features to the front of the property, thereby accentuating the substantial bulk and massing of the proposal. As a result, the proposal would fail to achieve a subservient relationship to the host property.
7. Moreover, the combination of the length and width of the two storey extension, its proximity to the boundary with No 692, and the lack of a set back, would result in a cramped appearance and an unacceptable loss of openness between the two properties at first floor and roof level. Consequently, the proposal would not respect the spacious characteristics of the area. Although the property is set back from Bradford Road, the proposal would still be clearly visible in views along the road. Whilst I acknowledge that the site is not within a conservation area, the proposal would nevertheless be an overly dominant addition to the property to the detriment of the street scene.
8. Reference has been made to extensions up to the boundary being a common feature of residential areas. However, I have not been provided with any examples to enable comparisons to be made with the current appeal proposal. In any case, I must assess the proposal before me on its own merits having regard to the site-specific circumstances.
9. For the above reasons, I conclude that the proposal would be harmful to the character and appearance of the host property and the surrounding area. Accordingly, it would be contrary to Policies LP2 and LP24 of the Kirklees Local Plan – Strategy and Policies 2019 and key design principles 1 and 2 of the Council’s House Extensions and Alterations Supplementary Planning Document, June 2021, which promote good design that contributes to local character, by amongst other things, ensuring that extensions are subservient to the original building and are in keeping in terms of scale, materials and details. Furthermore, the proposal would be contrary to the Framework, including paragraph 135, which, amongst other things, requires development to be sympathetic to local character, including the surrounding built environment.

Other Matters

10. The proposal would create additional living accommodation for the appellant’s growing family. However, there is no convincing evidence before me to indicate that the appeal proposal is the only means of providing the additional accommodation sought. Therefore, this consideration does not outweigh the harm that I have identified.
11. The Council raise no concerns in relation to the effects of the proposal on the living conditions of the neighbours or highway safety. I have no reason to disagree with this assessment on the basis of the evidence before me and my

observations on site, though these are neutral matters that do not weigh in the proposal's favour. I am mindful that no objections have been received from neighbouring residents, but this is not a ground for allowing the appeal unless founded upon valid planning reasons. I have found harm in this instance.

Conclusion

12. The proposal does not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a different decision other than in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

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INSPECTOR