15 Clara Street,

Fartown

Huddersfield HD1 6EN

GROUND G APPEAL AGAINST

THE SERVICE OF AN

ENFORCEMENT NOTICE

RE EXTENSION

1.0 INTRODUCTION

1.1On 6th July 2023 Kirklees Council refused an application for an extension forward of the principal elevation and associated alterations (retrospective) - application 2023/90778.

1.2 No appeal to the Planning Inspectorate was lodged against that decision

1.3 On 20 September 2023 the Council issued an Enforcement Notice against the extension as applied for and built taking effect 1st November 2023. A copy of the Enforcement Notice is attached

1.4 The reasons for issuing the Notice are the same as those given for refusal of the earlier planning application

2.0 THE APPEAL

2.1 This appeal is made on 2 grounds – firstly, Ground (a) that planning permission should be granted; and Ground (b) that the time given to comply with the notice is too short.

2.2 The Ground (g) appeal is addressed on the appeal form

3.0 GROUND (a) APPEAL

3.1 Attached is the Location Plan and the General Arrangement Drawing prepared by Valley Properties submitted in support of the planning application and to which the Enforcement Notice relates.

3.2 There are 2 reasons cited for issuing the Enforcement Notice. I deal with each in turn.

3.3 Impact on visual amenity

The front garden of the appeal property is enclosed by substantial fencing to all 3 sides.

-The extension is a lightweight largely glazed structure constructed of grey UPVC frames. It rises by only a limited extent above the height of the boundary fencing as

such its prominence in the street scene is markedly reduced. Note that enforcement action has not been taken by the Council against the fencing.

-Given the amount of glazing, it can be argued that, as a lightweight addition to the property the extension sits comfortably in the street scene against the host property.

3.4 Impact on neighbours

The Council's concern is with the potential for overlooking into neighbouring properties. It is considered that that concern can easily be overcome by substituting obscure glazing at level 4 in the existing frames to both side elevations. It is suggested that could be achieved by the imposition of a condition for that to be undertaken within say 2 months of a successful appeal.

Malcolm Sizer

Malcolm Sizer Planning Ltd.

October 2023