

APPEAL STATEMENT

PROPOSED EXTENSION AT 5 CHESTNUT AVENUE,
BATLEY.

J.A.OLDROYD & SONS LTD

3 PRIMROSE LANE

HIGHTOWN

LIVERSEDGE

WF15 6NS

This statement is to be read in conjunction with the enclosed appeal following the refusal of planning application number 2024/92383.

The reasons for refusal

- The massing of the extension adjacent the neighbour's boundary would have an overbearing and overshadowing effect on the adjacent properties side facing lounge window
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- The side extension would take up most of the space to the side of the house and would result in a terracing effect.

Chestnut avenue has seen numerous extensions both to the side and rear developed on many of its properties over the years. The adjoining neighbour has an extremely large extension to the front, side and rear of their property. Many other properties in the immediate vicinity also benefit from large extensions.

My clients proposal although not set back from the original line of the building still maintains a gap of approx. 1m to the side boundary when coupled with the existing gap to the neighbours extension we would like to argue that the "terracing effect" is not relevant in this case. It must also be noted that no chance was given to amend this scheme to try and overcome this reason/concern.

The side facing lounge window was allowed under application number 2016/90296 it must be noted that this was approved as a high level window and not the full height window which is currently in place. It must be argued that this window should not have been allowed in the first place if it was going to have a detrimental impact on the occupiers of number 5 chestnut avenue, the approval of this

window at number 3 chesnut avenue would now appear to be the main reason why my clients have been refused permission to extend there own home?

It must also be argued that my client at number 5 chestnut avenue could construct a 2m high solid board fence along this boundary with no permission – this fence would shade and obscure the window to the lounge at number 3 chestnut ave.

As stated above looking at the wider street scene along chestnut avenue will show numerous examples of large and small extensions, some of which are a lot closer to neighbouring boundaries than my clients proposal, we feel also as there have been no objections from the occupiers of number 3 that this family should be allowed to extend this property as proposed to create a family home which will future proof them in an area they enjoy living in. The side facing window which should have been high level should not come into the equation as it could be screened and blocked by the construction of a side boundary fence.