
Appeal Decision

Site visit made on 25 October 2016

by Beverley Wilders BA (Hons) PgDurt MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 28 November 2016

Appeal Ref: APP/Z4718/W/16/3156441

322 Cowcliffe Hill Road, Fixby, Huddersfield, West Yorkshire HD2 2HN

- 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 & Mrs Hall against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2016/62/90624/W, dated 22 February 2016, was refused by notice dated 19 April 2016.
 - The development proposed is a detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site comprises part of the side garden of 322 Cowcliffe Hill Road. No 322 is a large detached two storey dwelling set back from and fronting onto Cowcliffe Hill Road and set in a fairly spacious plot. This is consistent with the limited number of other dwellings located on this part of the road. The low density form of development together with mature landscaping and an absence of development on the opposite side of the road give the area a verdant and open character. By contrast Lightridge Road is more built up in character in the vicinity of the appeal site with dwellings located on both sides of the road.
 4. The proposal would result in a significant reduction in the size of the plot of the existing dwelling at No 322. The footprint and width of the proposed dwelling would be large in comparison to the size and width of the appeal site and would be sited close to the side boundaries. Though I note that the Council raised no objections to the design of the proposed dwelling, the scale and height of the dwelling above ground level would serve to emphasise its large size relative to the plot. Consequently notwithstanding the set back from the road, the proposed dwelling would appear cramped and would be out of keeping with the spacious and verdant character of the surrounding area.
 5. The appellant has made reference to the less spacious character of Lightridge Road, to the existing dwelling at 75 Lightridge Road and to a
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consented dwelling between 71 and 75 Lightridge Road. At my site visit I saw the dwelling at No 75 and the character of development on Lightridge Road and I have been provided with copies of plans relating to No 75 and to the land between Nos 71 and 75. However as stated, the character of Lightridge Road is different to Cowcliffe Hill Road onto which the proposed dwelling would face. Whilst I am not aware of the details or particular circumstances relating to the other sites referred to, neither appears to me to be directly comparable to the proposal and I therefore give them limited weight. In any event, I must determine the proposal before me on its own merits.

6. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the area. It is therefore contrary to policies D2 and BE1 of the Kirklees Unitary Development Plan and to relevant paragraphs of the National Planning Policy Framework (the Framework). These policies seek, amongst other things, to ensure that development does not prejudice visual amenity and that it contributes to a built environment which is visually attractive and creates or retains a sense of local identity.

Other Matters

7. In reaching my decision I have had regard to the fact that the Council does not currently have a five year housing land supply. However irrespective of this, in terms of paragraph 49 of the Framework, the policies referred to by the Council are not relevant policies for the supply of housing, they deal with more detailed matters including the potential impacts of development. In any event, whilst I note that the appeal site is in a reasonably accessible location, I consider that the economic and social benefits of providing one dwelling is significantly and demonstrably outweighed by the harm that would result to the character and appearance of the area.

Conclusion

8. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR