



Appeal Decision

Site visit made on 30 November 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2020

Appeal Ref: APP/A4710/D/20/3259891

6 Cock Hill Lane, Shelf, Halifax HX3 7LP

- 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 John Morris against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 20/00199/HSE, dated 22 February 2020, was refused by notice dated 17 July 2020.
 - The development proposed is described as demolishing of existing garage to be replaced with new garage and highway improvements.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing garage and replacement with new garage at 6 Cock Hill Lane, Shelf, Halifax HX3 7LP in accordance with the terms of the application, Ref 20/00199/HSE, dated 22 February 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 19-062-01; 19-02-03C; 19-062-04C.
 - 3) The materials to be used in the construction of the external surfaces of the development shall match those used in the existing house.

Main Issue

2. The Council did not raise any concerns over the scale and appearance of the garage and I have no reason to take a different view. Thus, the main issue in this appeal is the effect of the development on highway safety.

Reasons

3. The existing single garage is sited parallel to the road with its door facing onto a paved driveway area. The evidence indicates that the paved driveway area can tightly accommodate two cars, but at the expense of blocking access to the garage. In addition, the orientation of the garage means that an awkward manoeuvre is required for any vehicle entering or exiting the garage onto Cock Hill Lane where visibility is substandard due to the bend in the road and the existing boundary treatment.
4. The replacement garage would face the road, thereby providing direct access onto Cock Hill Road. Although visibility would still be substandard, there would

be a minor improvement compared to the existing situation given the garage entrance would be located slightly further from the apex of the bend. It would also ensure that the two parking spaces to the side of the garage could be more easily used in addition to use of the garage. Securing this level of off-street parking would be beneficial as it would avoid adding to the obstructive parking that takes place on the road outside. Furthermore, as the proposal is a replacement garage it would not intensify the use of the access, nor would it create a new access.

5. For all these reasons, I conclude that the development would not have an unacceptable effect on highway safety. In this regard it would not conflict with the highway safety aims of Policy BE5 of the Replacement Calderdale Unitary Development Plan 2006 and paragraph 109 of the National Planning Policy Framework.

Conditions

6. As suggested by the Council in the appeal Questionnaire, I have imposed the standard commencement and approved plans conditions for the avoidance of doubt and in the interests of proper planning. A condition requiring the materials to match the main house is necessary to ensure an acceptable appearance of the development. No further conditions were suggested.

Conclusion

7. For the reasons given, and subject to the conditions as set out, the appeal should be allowed.

A Caines

INSPECTOR