
Appeal Decision

Site visit made on 4 May 2022

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2022

Appeal Ref: APP/Z4718/D/22/3295559

52 Lee Green, MIRFIELD, WF14 0AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Mark Weathers against the decision of Kirklees Metropolitan Council.
 - The application Ref 2021/62/94139/E, dated 1 November 2021, was refused by notice dated 24 January 2022.
 - The development proposed is Erection of detached garage.
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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 street scene.

Reasons

3. The appeal site is located within a residential area and occupies a wide corner plot. The dwelling has been extended previously and is semi-detached to number 50 Green Lane.
4. The proposal seeks to create a detached double garage to the side of the main dwelling and forward of the front building line. This would not accord with the Council's adopted House Extensions and Alterations Supplementary Planning Document 2021 (SPD) for outbuildings due to its position in front of the building line of the dwelling, to avoid a harmful effect on the street scene.
5. Although the Council has its adopted policy on outbuildings, the appellant has drawn my attention to the recently approved garage proposal to the attached dwelling of Number 50 Lee Green. The size and scale of the proposal would largely correspond with that approved at the adjacent dwelling position in front of the building line of the host dwelling. This is a material consideration that I have taken into account when coming to my decision.
6. There are however differences between the two circumstances. The appeal site is located on a prominent corner with Pratt Lane. The external space to the front is very exposed within the street scene here, partially due to the land levels and the nature of boundary treatment. It is highly visible from the corner with Pratt Lane.
7. The proposed garage would be detached from the main house and positioned hard up against the boundary with Pratt Lane. The existing boundary treatment

would not sufficiently shield it from view and consequentially, given its projection forward of the front building line of the dwelling, its large scale and mass, would appear prominent and incongruous in this location and out of character with the local area.

8. It would not directly compare to the adjacent approval; it is not as prominent a site given it is not located on a corner. Oastler Grove is also not a main road. Furthermore, whilst permission has been granted for this extension, this occurred before the Council adopted their SPD. In addition, there is no guarantee the approved garage would be implemented. To allow this proposal in this particular location would detrimentally compromise the character and appearance of the street scene.
9. To conclude, the position of the proposed garage forward of the building line located on the boundary in a prominent corner, would result in an incongruous feature within the street scene, harmful to the character and appearance of the local area in conflict with the design aims of Policy LP24 of the Kirklees Local Plan Strategy and Policies 2019 and the guidance contained within the Kirklees House Extensions and Alterations Supplementary Planning Document.

Conclusion

10. Given the harmful effect of the proposed development on the character of the dwelling and impact on the street scene, it would lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR

