



Appeal Decision

Site visit made on 4 January 2022

by D Barlow BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/Z4718/W/22/3304593

Land at Olney Street, Slaithwaite, Huddersfield HD7 5EG

- 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 and Mrs P Bastow against the decision of Kirklees Council.
 - The application Ref: 2021/60/94410/W dated 23 November 2021, was refused by notice dated 28 February 2022.
 - The development proposed is demolition of garages and erection of detached 2 bedroomed dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline with all matters reserved for future consideration. The Council determined the application on this basis and I have considered the appeal on this basis too.
3. A plan was submitted (Dwg ref OS3/P02), however as all matters are reserved at this outline stage, I have treated this as indicative only.

Main Issues

4. The main issues are the effect of the proposed development on the character and appearance of the area and whether appropriate living conditions would be provided for future occupiers of the proposed dwelling with particular regard to internal and external space.

Reasons

5. The area is principally residential in character with a wide mix of two storey houses and bungalows, principally fronting the pavement, although there are some larger house towards the end of Olney Street and opposite the appeal site which are set back and on larger plots and give a sense of spaciousness at this end of the street.

Character and Appearance

6. The appeal site itself is currently occupied by garaging with two single garages either side of the proposed dwelling house. The land slopes quite steeply to the East of the site and allotments occupy the land to the North. In view of the existing single storey garaging on site and adjacent, an open feel is preserved and there is an outlook to the hills beyond.

7. From my site visit, the plot looks hemmed in by the garages either side. The proposed parking spaces about the site boundary to the West and the Eastern elevation is very close to the site boundary.
8. In view of the relatively small size of the plot proposed and the requirement for a 2m footpath to be provided at the front of the property, it is difficult to envisage a layout for a dwelling that could be arranged other than as shown. The plot is considerably smaller than those nearby and with the need to accommodate parking, outdoor space and the dwelling itself, this would result in a cramped appearance which would conflict with the guidance in the Council's Housebuilder Design Guide (SPD).
9. Given the above, I therefore conclude that the proposed development would result in harm to the character and appearance of the area which would conflict with Policy LP 24 of the Kirklees Local Plan (adopted 27 February 2019) which puts good design at the core of all proposals and seeks to ensure that the form, scale, layout and details of all development respects and enhances the character of townscape and landscape. It would also fail to comply with the Council's Housebuilder Design Guide SPD (SPD) (Principle 2) which seeks new development to respect and enhance the local character of the area by amongst other things, complementing the surrounding built form. It would also fail to comply with SPD (Principle 5) which seeks to ensure a sense of place is retained. These policies are consistent with the National Planning Policy Framework (NPPF) which in Paragraph 130, also aims to ensure that developments are visually attractive and sympathetic to the built environment and landscape setting.

Living Conditions

10. Given the small size of the plot and in particular the limited depth and width, it would mean that the Council's technical standards on internal floorspace would be unlikely to be met, and if they were it would be at the expense of adequate parking spaces and the distance to a shared boundary on the outdoor space. It would be difficult to accommodate both and comply with the Council's SPD.
11. I therefore conclude it would therefore cause harm to the living conditions of the intended future occupiers. It would fail to comply with the Council's Housebuilder Design Guide SPD (Principle 6 and 16) which requires new development to provide space between buildings and meet internal space standards to fulfil basic lifestyle needs and provide high standards of amenity for future occupiers.

Other Matters

12. The proposed dwelling would make a contribution to the housing supply in the district, however given the scale of the scheme the benefit to supply would be small.

Conclusion

13. For the reasons given above the proposal is contrary to the development plan as a whole and having regard to all other relevant considerations, the appeal is dismissed.

D Barlow

INSPECTOR