



Appeal Decision

Site visit made on 15 December 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2024

Appeal Ref: APP/Z4718/D/24/3351011

597 Bradford Road, Oakenshaw, Bradford BD12 7EJ

- 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 A Smith against the decision of the Kirklees Metropolitan Council.
 - The application 2024/62/91027/E.
 - The development is erection of detached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of the application the National Planning Policy Framework has been superseded by the National Planning Policy Framework (2024) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issue

3. The main issue in this appeal is the effect of the development on the character and appearance of the host property and area in general.

Reasons

4. The appeal site is within a predominantly residential area with a small stone wall to the front boundary. Properties in the area vary in design and type however are predominately set back from the highway. The appeal property is sited at a slighting higher ground level than the adjacent highway.
5. Properties in the immediate area do not tend to have outbuildings/garages located between them and Bradford Road. An existing hedge on the boundary shared with No. 599 Bradford Road would screen to a limited degree the proposed garage.
6. Notwithstanding this the introduction of built form to the front of the plot, of the appeal site would interrupt the pattern of development and would be an incongruous feature within the streetscene.
7. I find that the proposed development would harm the character and appearance of the host property and area in general.

8. There is conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019) which seek amongst other things for developments to respect the character of the townscape. Similarly, there is conflict with Key Design Principles 1 and 2 of the SPD which echo the aims of Policy LP24.
9. There is also conflict with the Framework which seeks amongst other things to ensure developments are of good design.

Other Matters

10. The appellant has highlighted that the proposed development is required to provide secure vehicle parking due to attempted thefts and trespassing onto the property. I have not been provided with substantive evidence to demonstrate that there is a problem or that the proposed development would be the only way to fulfil the needs of the appellant. I am also mindful that the proposed garage would not prevent trespassing I therefore give this limited weight.

Conclusion

11. For the above reasons I conclude that this appeal should be dismissed.

C Pipe

INSPECTOR