

Appeal Decision

Site visit made on 3 January 2025

by **S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 08 January 2025

Appeal Ref: APP/Z4718/D/24/3348795

31 Warrenside, Deighton, Huddersfield, HD2 1LW

- 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. Graham Dearden against the decision of Kirklees Council.
 - The application is reference 2024/62/90708/W.
 - The development proposed is the demolition of an existing garage and replacement with a new garage.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. A new National Planning Policy Framework was published in December 2024 (the Framework). This replaces the previous version of the Framework, published in December 2023. So far as the main issue is concerned, the 2024 Framework remains essentially unaltered relative to the December 2023 version. Therefore, it has not been necessary for me to seek comments from the main parties in respect of the 2024 Framework.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the existing dwelling and area.

Reasons

4. No. 31 Warrenside is one of several detached properties with habitable rooms in the roof space and with their narrower gable ends facing the roadway. They have front amenity spaces facing the road and with driveways to one side, often leading to single storey, single garages and other outbuildings located to their sides and rear spaces. Overall, the properties in this area sit within well-proportioned plots and there is a general sense of space around the dwellinghouses.
5. The appeal property differs somewhat from the other similar dwellings in that it has a larger, triangular shaped rear space, within which is an existing double garage of a size which is also generally larger than the garages and outbuildings to the properties surrounding it,

6. The proposed development is to demolish the garage and to replace it with a triple single storey garage.
7. The resulting footprint would exceed by a considerable degree that of the host property. On my site visit, I was unable to see any other garages or outbuildings of a similar size. The surrounding area is characterised as garden land with single garages and small wooden outbuildings/sheds.
8. I find that the proposed garage would not be experienced as being subordinate in scale to the host property. It would not assimilate well into the area as, owing to its size and position, it would detract from the prevailing character of rear amenity spaces of adjoining gardens with their much more modest garages and outbuildings..
9. Therefore, I conclude that the proposed development would not accord with the design, character and appearance requirements of policy LP24 of the Kirklees Local Plan 2019 (LP), the Council's House Extensions and Alterations Supplementary Planning Document 2021 (on the basis that owing to the location of the proposed building, there is case law supporting its description as an extension to the dwellinghouse), and chapter 12 of the Framework.

Other Matters

10. I have considered the larger than average size of the rear garden to the host property, that the proposed garage would be single storey only, and would not adversely affect the living conditions of neighbours in terms of privacy or outlook, but these matters are not sufficient to overcome its disproportionate size in relation to the surrounding area and the host property, and my conclusion on the main issue.

Conclusion

11. There are no material planning considerations that indicate the application should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR