

**KIRKLEES METROPOLITAN COUNCIL  
INVESTMENT & REGENERATION SERVICE**

**DEVELOPMENT MANAGEMENT**

**Town and Country Planning Act 1990 (as amended) – SECTION 70**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS**

**Reference No:** 2017/62/93470/E

**Site Address:** adj, 93, Stocks Bank Road, Mirfield, WF14 9QB

**Description:** Demolition of existing garage erection of detached dwelling with integral garage and associated site works

**Recommending Officer:** Nia Thomas

**DECISION - REFUSE**

**I hereby authorise the refusal of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.**

Julia Steadman

***AUTHORISED OFFICER***

**Date: 29-Jan-2018**

Decision Authorisation – Committee Decision

**Committee: Heavy Woollen Planning Sub Committee**

**Date of Committee: 25-01-2018**

**Application Number: 2017/93470**

**Officer Recommendation: Delegate approval of the application**

**Committee Decision: Refusal**

**Summary of Committee Decision:**

The concern of members was that the proposed dwelling, by virtue of its scale and proximity to surrounding dwellings, would result in the overdevelopment of the site and an overbearing impact upon the residential amenity of the surrounding occupants, contrary to policy D2 of the Kirklees Unitary Development Plan.

**Reasons for Refusal:**

1. The proposed dwelling, by virtue of its scale and proximity to surrounding dwellings, would result in the overdevelopment of the site which would have a detrimental overbearing impact upon the residential amenity of the occupants of the surrounding dwellings, contrary to Policies D2 and BE12 of the Kirklees Unitary Development Plan as well as Policy PLP24 of the Kirklees Publication Draft Local Plan.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Proposed street scene	(35) 002	-	06.12.2017
Proposed ground floor, first floor and roof plan	( 20) 001	B	06.12.2017
Proposed block plan	(20) 002	B	06.12.2017
Proposed elevations	(30) 001	A	06.12.2017
Proposed street Scene	35 (001)	-	06.12.2017
Existing site/block layout	(EX) 002	-	10.10.2017
Location plan	(EX) 001	-	10.10.2017
Design and Access statement	-	-	10.10.2017

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. The case officer asked for

amendments to the initial scheme and officers recommended approval of the amendments. Members of the sub-committee considered that there would be harm to residential amenity and the proposal would lead to overdevelopment of the site.

**Report Dated:**

26.01.2018