

PLANNING STATEMENT

Proposed Extensions to side and rear together with widening of access to

Fixby Road

at

59 Fixby Road,

Huddersfield HD2 2JB

1.0 INTRODUCTION

1.1 The application seeks full planning permission for the above.

2.0 SITE HISTORY - CERTIFICATE OF LAWFULNESS.

2.1 On 15 October 2019 the Council refused application 2019/92708 for a Certificate of Lawfulness for proposed change of use of ground floor from residential to retail at 57/59 Fixby Road.

2.2 The application related to both No. 59 Fixby Road together with the shop premises at No. 57 with its living accommodation and the garage/store fronting Broomfield Road.

2.3 At paragraph 2.4 of my Planning Statement which formed part of that application I stated that, 'It is considered that the whole site comprises a mixed retail residential use with ancillary separate retail storage/garage parking for both retail and domestic vehicles and domestic garden'.

2.4 At paragraph 10.2 of the Officer Report which sets out the reason for the Council's decision it is noted that, 'The current plans indicate that nos. 57 and 59 each form a self-contained unit (a combined shop/dwelling and a dwelling house respectively) with no internal connection at either ground or first floor.'

2.5 The combined shop dwelling is of course No. 57 and the dwelling house is No. 59.

2.6 At paragraph 10.4 of the Officer Report it is stated that, 'In the absence of compelling evidence to the contrary the two properties should therefore be treated as two separate planning units for the purpose of this application'.

2.7 Accepting that position as taken by the Council, the application now submitted thus seeks approval for extensions to the dwelling house at No. 59.

3.0 SITE HISTORY - CONVERSION OF GARAGE.

3.1 On 5 October 2021 the Council granted planning permission 2019/92709 for the Erection of Extension and Alteration to Outbuilding and Garage to form One Dwelling and Widening of Vehicular Access to Fixby Road.

3.2 The application related specifically to the garage/store fronting Broomfield Road but the red line of the location plan also included Nos. 57 and 59 Fixby Road together with part of the pavement and verge in front of No. 59 .

3.3 Of particular relevance to the application now submitted, the approved site plan includes 3No. parking spaces in the front of No. 59 to be formed by widening the existing drive

together with a widened crossing of the footpath and verge to enable access/egress to/from the 3No. parking spaces. This additional parking and access/egress provision is clearly specifically provided for No. 59 on the basis that it has been established in the decision on the Certificate of Lawfulness application that No. 59 comprises a separate planning unit from the shop/residential accommodation at No. 57.

- 3.4 It should be noted that work has not begun to implement the permission for the conversion but it is my client's intention to do so.
- 3.5 In that case it should also be noted that Condition 9 attached to the grant of planning permission requires a 1.8 m. high screen fence around all boundaries of the proposed rear garden. That obviously includes the side boundary to the rear of No. 59.

4.0 APPLICATION PROPOSALS

- 4.1 The application seeks permission for the side and rear extensions to the property.
- 4.2 The proposals have been drawn up having regard to the Council's House Extensions and Alterations Supplementary Planning Document in its overall design and having regard to impact on neighbours, parking and private open space provision.
- 4.3 Having regard to these potential impacts:-
- a) to the rear, the privacy of residents of the new dwelling to be formed by the garage conversion will be protected from overlooking from the proposed ground floor extension and private garden to the rear by the fence to be formed on the common boundary as required by Condition 9 attached to planning permission 2019/92709.
 - b) Privacy in the garden of the new dwelling in the garage conversion will be achieved by setting back the proposed accommodation at No. 59 at first floor level some 2 metres from the front face of the proposed ground floor accommodation so that adequate separation distance is achieved to the joint boundary.
 - c) the set-back of the proposed first-floor accommodation at the rear will also result in no adverse impact on the residents of No. 61 Fixby Road.
 - d) So far as parking provision is concerned, the 3No. spaces shown for No.59 as part of the approval for the conversion of the garage/store are again proposed so far as this new application is concerned. To provide adequate access/egress the proposals repeat the provision of a widened drive entrance to/from Fixby Road.
 - e) Adequate private open space will be provided to the rear between the proposed extension and the rear garden of the converted garage/store.

5.0 CONCLUSION.

- 5.1 It is considered that the proposals have due regard to the site history and all relevant considerations.
- 5.2 As such it is considered that planning permission should be granted.

Malcolm Sizer

Malcolm Sizer Planning Ltd.

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