

Formal Planning Objection – Application 2026/91657

Objection ground: Reintroduction of the previously removed double garage through piecemeal development; cumulative overdevelopment; and creation of an annex-capable fourth level contrary to Policies LP21, LP22 and LP24

I object to the proposed double garage and associated alterations at Plot 23.

This application must not be treated as an isolated alteration to the most recent structure on the ground. It forms part of a sequence through which elements that were not included in the approved scheme have first been physically established and then presented for approval through later applications.

The correct planning baseline is the approved single-garage scheme—not the larger structure that has since been constructed.

1. The double garage was previously removed following concerns about overdevelopment

A double garage formed part of the May 2024 proposals for Plot 23 under application 2024/91236. Council records subsequently disclosed under FOI show that the proposed double garage raised concerns about overdevelopment.

The later plans replaced it with a narrower single garage, and that was the arrangement ultimately approved.

Application 2026/91657 now seeks to restore the double garage previously removed from the scheme. That sequence is highly material:

1. a double garage was proposed;
2. the Council raised concerns about overdevelopment;
3. the approved plans were reduced to a single garage;
4. construction subsequently established foundations and lower structural works capable of accommodating the greater footprint; and
5. the developer has now returned seeking approval for the double garage.

The Council must not assess the present proposal merely by asking whether completing the double garage would add much more physical work to what is already on the ground. That would allow the as-built structure to replace the approved scheme as the planning baseline.

The proper comparison is between the cumulative development now constructed and proposed and the single-garage scheme that was actually approved.

2. The double garage cannot be separated from the additional accommodation beneath it

The different levels must be identified clearly:

- the proposed double garage is at ground-floor level;
- the application places an enlarged kitchen beneath the garage at lower-ground level; and
- the still lower “garden room” and “store” form a further, fourth built level.

These are distinct elements, but they form part of one interdependent increase in the footprint, floorspace, massing and occupation capacity of Plot 23.

The applicant's own 2024 supporting statement explained that the garage would require additional excavation, foundations, construction and waterproofing at lower-ground level. It then argued that the resulting space should be incorporated into the house rather than filled in. The proposed kitchen beneath the garage is therefore not an unrelated internal rearrangement: it is additional domestic floorspace created directly through the enlarged garage structure and its groundworks.

The double garage must consequently be assessed together with the accommodation beneath it. It would be artificial to assess the garage only as vehicle storage while ignoring the additional domestic floorspace its expanded structure creates.

3. The proposal represents cumulative overdevelopment

The Council previously considered that the double-garage arrangement risked overdeveloping Plot 23. The current proposal does not simply return to that earlier design. It now forms part of a substantially more intensive cumulative development that includes:

- the enlarged double-garage form;
- an expanded kitchen beneath the garage;
- a substantial lowest level comprising a garden room and store;
- extensive retaining and structural works;
- increased domestic floorspace across four built levels;
- additional doors, windows and external access; and
- a reduction in the proportion and usability of the remaining private outdoor space.

My plan-based calculation indicates that the built form occupies approximately 42% of the plot. That figure should be independently checked by the Council against an accurate survey. The assessment must also account for patios, access routes, steps, retaining structures and changes in level when deciding how much genuinely functional garden space remains.

Policy LP24 does not impose one fixed numerical garden size, but it requires a layout, scale and form that provide a high standard of amenity and respond appropriately to the site and its surroundings. The Council must therefore assess whether the remaining private outdoor area is functional and proportionate to the size, floorspace and likely occupation of this unusually large four-level dwelling.

The site also adjoins the Green Belt. The enlarged built form and the revised domestic openings serving the accommodation beneath the garage must be assessed for their cumulative effect upon the sensitive edge-of-settlement setting. The enlargement of these windows raises a clear question as to why such changes are necessary if they are intended only to serve a garage. It suggests that further alterations may be anticipated, potentially in a piecemeal or "salami-slicing" manner, whereby the garage could later be reconfigured into living accommodation, with subsequent proposals possibly introducing an additional level above the garage up to full roof height.

4. The lowest level is readily capable of annex-style occupation

The concern about an annex is not based merely upon the use of a large store.

The lowest level creates a fourth built level comprising:

- a garden room measuring approximately 41.34 m²;
- a further substantial area labelled “store”;
- separate external doorways;
- insulated double-skin construction;
- domestic-scale openings; and
- a scale and arrangement substantially exceeding what might ordinarily be expected merely to support a patio or provide incidental household storage.

The garden room alone is larger than the approximately 34.87 m² living/dining room shown at Plot 34. The label attached to the room does not determine the physical or planning effect of what has been constructed.

Most importantly, the applicant has previously identified annex use as a possible purpose for a basement at Plot 23. The supporting statement submitted under application 2024/91236 argued that the basement could become usable space:

“e.g. as an annex, gym or for storage”.

The present annex concern is therefore neither remote nor invented by objectors. Annex use was expressly identified by the applicant as one of the intended possibilities for additional basement accommodation at this plot.

The current plans may not yet show all the facilities necessary for completely self-contained occupation, such as a kitchen, bathroom and designated sleeping accommodation. I am not therefore asserting that a fully self-contained annex has already been created or that a material change of use has already occurred.

The material concern is that the scale, construction, separate access and arrangement of the fourth level make it readily capable of functioning as annex-style accommodation following comparatively limited further alterations.

This must be considered alongside the sequence already evident at Plot 23. Permitting the substantial walls, openings, insulated construction, domestic garden room and extensive store now would establish the physical and planning baseline for a later application to add facilities or alter the stated use. Each subsequent step could then be presented as a minor alteration to something already permitted.

The Council must assess that reasonably foreseeable cumulative outcome now, rather than relying unquestioningly upon the labels “garden room” and “store”.

5. Approval would create a prejudicial structural and planning baseline

Approval of the present arrangement would establish a significantly larger lawful building envelope than the approved single-garage scheme.

That enlarged baseline would be capable of supporting later proposals for:

- further accommodation above the garage;

- conversion of either garage bay into domestic accommodation;
- greater integration of the garden room and store into the main house;
- the introduction of kitchen, bathroom or sleeping facilities at the lowest level; or
- separate annex-style occupation.

I am not suggesting that every one of those changes is included in the current application or that a future application is inevitable. The concern is that the physical structure and planning baseline necessary to facilitate such changes are being established incrementally.

That risk cannot reasonably be dismissed as hypothetical when:

- a double garage was previously removed from the approved design following overdevelopment concerns;
- the larger structural footprint has nevertheless been established;
- the double garage has now returned through a further application;
- a substantial fourth level has been constructed; and
- the applicant previously identified an annex as a potential use for basement accommodation.

This is precisely why the Council must examine the development for salami-slicing. It must assess the cumulative outcome against the approved scheme, rather than comparing each new proposal only with the last physical or planning stage.

6. Parking and highway implications require proper evidence

The applicant previously stated that the buyer intended to use the double garage for vehicles. If the garage is relied upon to satisfy the parking requirement, it should therefore be retained and kept available for vehicle parking.

The potential use of the fourth level as annex-style accommodation has direct implications for parking demand. Additional occupants would reasonably be expected to increase the number of vehicles associated with the property. Without sufficient and properly designed on-site parking provision, there is a clear risk that vehicles would be displaced onto surrounding roads outside the curtilage.

This risk is compounded by the possibility—already identified elsewhere—of the garage being converted to living accommodation. Such a change would remove a key element of the site’s parking provision while simultaneously increasing the likely number of occupants and vehicles.

Given the extent to which the built form already occupies the plot, there is limited scope to provide additional parking within the site without further intensifying development. The Council must therefore assess whether the proposal, taken together with the realistic potential for annex-style occupation and garage conversion, would result in inadequate parking provision and consequent harm to highway safety and residential amenity.

Conclusion

This is not simply a proposal to widen a garage. It is one stage in a cumulative sequence through which the double garage previously removed following overdevelopment concerns has been

structurally re-established, additional domestic accommodation has been created beneath it, and a substantial annex-capable fourth level has been formed below.

The applicant's own earlier statement expressly identified annex use as a possible purpose for basement accommodation. The Council must therefore examine the physical capability and foreseeable cumulative use of the lowest level rather than accepting the labels "garden room" and "store" at face value.

Approval based upon the structure already on the ground would allow unapproved or unverified construction to create its own planning baseline. The proper comparison is with the approved single-garage scheme.

For those reasons, application 2026/91657 should be refused.

I have corrected the parking reference to LP22, while retaining LP21 for access and highway safety and LP24 for design, overdevelopment and amenity. Those policy roles are confirmed in the [Kirklees Local Plan](#).