
Appeal Decision

Site visit made on 31 May 2017

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 6 June 2017

Appeal Ref: APP/Z4718/W/17/3170264

10 Cherry Tree Walk, Scholes, Holmfirth, HD9 1XG

- 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 and Mrs Hough against the decision of Kirklees Metropolitan Council.
 - The application Ref 2016/62/92406/W, dated 13 July 2016, was refused by notice dated 10 October 2016.
 - The development proposed is the re-use and adaptation of the existing garage to form a dwelling with associated access, parking and curtilage areas.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed dwelling upon the character and appearance of the area.

Reasons

3. Cherry Tree Walk is characterised by dwellings which are set back from the road by generous and well-landscaped front gardens. The area has a spacious and open feel to it with the fronts of the houses looking directly onto the street.
 4. The proposed 2-storey dwelling would be very close to the highway and would lack garden space between it and the road. Furthermore, the gable elevation facing the road would be plain and boring as it would have no windows or doors. The chimney stack would provide insufficient visual interest to make the appearance of the gable acceptable. The combination of these factors would result in the proposed dwelling appearing obtrusive and incongruous within the street-scene. This would be in spite the proposed use of traditional materials and the land level being slightly lower than the land level of the houses opposite.
 5. I note the appellants' reference to other dwellings in the area which have gables close to the road, but these are on different sites with different visual characteristics to that of the appeal site.
 6. I therefore conclude that the proposed dwelling would harm the character and appearance of the area. Consequently, it would conflict with Policies BE1, BE2 and D2 of the Kirklees Unitary Development Plan which, together, seek to ensure that development respects visual amenity and is of a good design which
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is in keeping with the design and layout of surrounding development. It would also conflict with Paragraph 64 of the National Planning Policy Framework which has similar objectives.

Other Matters

7. I appreciate that the proposal would provide a dwelling in a sustainable location and that the Council cannot demonstrate an up to date five year housing land supply. However, the tiny contribution of one dwelling to the supply of housing would not outweigh the demonstrable harm to the character and appearance of the area, and the consequent conflict with development plan policies.
8. I have had regard to all other matters raised, including the representations from interested parties, but none outweigh the conclusions I have reached.

Conclusion

9. Due to the environmental harm that would arise as a result of the development, the proposal would not represent sustainable development and the appeal is dismissed.

Siobhan Watson

INSPECTOR