
Appeal Decision

Site visit made on 19 May 2020

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd July 2020

Appeal Ref: APP/A4710/D/20/3248661

8 Stoodley Grange, Todmorden OL14 6JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
 - The appeal is made by Mr Stephen Murphy against the decision of Calderdale Council.
 - The application Ref 19/01331/HSE, dated 5 November 2019, was refused by notice dated 13 January 2020.
 - The development proposed is the erection of a timber garage 4m x 5.5m to the front of the house.
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Decision

1. I allow this appeal and grant planning permission for the erection of a timber framed garage 4m x 5.5m to the front of the house at 8 Stoodley Grange, Todmorden OL14 6JR in accordance with the terms of the application 19/01331/HSE dated 5 November 2019, subject to the conditions set out in the attached schedule.

Procedural Matter

2. Notwithstanding the description of the development set out above it is clear that the accompanying plans show a proposal measuring 3.657 metres in width, 5.486 metres in length and 2.832 metres in height. For the avoidance of doubt, my decision relates to the development proposal set out in the accompanying plans.

Main Issues

3. The main issue is the effect of the proposed development upon the character and appearance of the neighbourhood.

Reasons

4. The appeal property is a dwelling set within a converted former nursing accommodation block incorporating 4 residential properties. This block is part of a former isolation hospital located about 2 miles east of Todmorden. The development comprises around 25 dwellings – including a small number of new properties - arranged in a 'Y' shape linking to Lee Bottom Road.
5. Most of the dwellings have driveways to the front or side and small front gardens with soft landscaping. The 2 arms of the 'Y' access road through the development are quite narrow and there are no pavements. There is a general absence of fencing and walls giving the development an open plan quality with the dwellings located quite close to one another.

6. No 8 is one of the middle two dwellings within the block. The front door entrances to No 8 and its neighbour, 7 Stoodley Grange, are set within an impressive central decorative façade bearing an inscription of the date of construction, some scroll detailing and a weathervane. At each end of the block is a short, square tower accommodating the front entrances to 6 Stoodley Grange and 9 Stoodley Grange.
7. The proposed development comprises a timber framed single garage located in the front garden of the appeal property and orientated sideways to the dwelling. It would be positioned about 6-7 metres from the front door entrance and immediately behind a wide, tall and thick dense hedge running along the front boundary of No 7 and No 8. Vehicular access to the proposed garage would be from the front driveway running to one side.
8. I estimate that the hedge is around 10 metres in length and 3-4 metres in height. According to the submitted 3-dimensional image the proposed garage would be around 5.5 metres in length and just under 3 metres in height. Part of the front and rear of the proposed garage would be briefly visible to those moving along Stoodley Grange but because of its modest size this would not be intrusive nor sever views of the block.
9. The original plans for the development indicated a garage to the front of No 8 (and No 7) in broadly the same position as the appeal proposal. There is a large stone garage to the front of the tower at No 9 with access from the adjacent driveway. This has not compromised the character or appearance of the neighbourhood.
10. The Council has identified the former isolation hospital as a non-designated heritage asset. The buildings are highly attractive in terms of their design and layout and hold significant historical interest. Thus, it is important that any new development within its environs should not prejudice those qualities.
11. In the context of the appeal site the most important features are the façade of the subject block including the symmetrical quality given to it by the square towers at each end and the highly decorative central component. Because of its relatively modest size, its distance from the block and the highly effective screening provided by the adjacent dense hedge, the proposed garage would not harm the non-designated heritage asset.
12. Consequently, the proposed development would not cause harm to the character and appearance of the neighbourhood. Thus, it would accord with Policy BE1 of the Replacement Calderdale Unitary Development Plan (2006) which seeks to ensure that new development contributes positively to or maintains the established character and appearance of neighbouring buildings in regard to layout, massing, design and scale. Furthermore, it accords with Paragraph 197 of the National Planning Policy Framework that advises that regard should be had to the effect of new development on non-designated heritage assets.

Conclusion and Conditions

13. For the reasons set out above the appeal should be allowed.
14. In addition to the standard 3-year condition in the interests of certainty I have imposed a condition requiring that the development should be carried out in accordance with the submitted plans. Finally, since no details have been submitted in regard to materials, I have required that no development shall take place above slab level until these have been agreed in writing by the Council.

William Walton

INSPECTOR

SCHEDULE OF CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out, completed and retained in accordance with 'Plan 2' and shall measure no larger than 3.657 metres in width, 5.486 metres in length and 2.832 metres in height.
3. No development shall take place above slab level until details of the materials to be used in the construction of the garage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

END