
Appeal Decision

Site visit made on 9 September 2020

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2020

Appeal Ref: APP/Z4718/Y/20/3250168

5 Scar Top, Golcar, Huddersfield, West Yorkshire HD7 4DT

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs S Noble against the decision of Kirklees Metropolitan Borough Council.
 - The application Ref 2019/65/92977/W, dated 11 September 2019, was refused by notice dated 13 November 2019.
 - The works proposed are described as: 'car space'.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal relates to a Grade II listed building in a conservation area. I am mindful of my statutory duties under sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) and have considered the appeal accordingly.

Main Issues

3. The main issue is the effect of the proposal on the special interest of the Grade II listed building, on the setting of other nearby listed buildings and on the character or appearance of the Golcar Conservation Area (GCA).

Reasons

4. The appeal relates to a Grade II listed stone weaver's cottage dating from the mid-19th century. It is part of a terrace of similar cottages that are also listed. Despite some variations in individual detailing, the cottages nonetheless share common features. These include the wide mullion windows to their upper floors and their small front garden areas enclosed by stone boundary walls which run alongside the Scar Top road frontage. These features are also evident in other weaver's housing in the vicinity dating from a similar period and provide a sense of consistency and coherence to the terrace as a whole.
5. Although the front wall of the appeal property appears to have been rebuilt, it nevertheless signifies the enclosed, historic layout of the front garden. As such, it preserves the historic legibility of the building, thus contributing to its special interest. This is not only inextricably linked to the special interest of the appeal

- building itself but also the setting of the other listed buildings that comprise the wider terrace.
6. The front boundary walls of other buildings in the terrace also appear to have been rebuilt over the years and alterations have taken place to widen the pedestrian access at 6 Scar Top. Nonetheless, all have retained some form of stone wall enclosure to their front gardens. The historic layout and legibility of those other listed buildings in the terrace has therefore also been well preserved, further contributing to their setting.
 7. Therefore, insofar as it relates to this appeal, the special interest of the listed building arises from its historic interest as one of a group of weavers' cottages which attest to the development of the local woollen cloth trade. The historic fabric, layout and architectural detailing which have been retained contribute to a clear cultural and evidential value. Those terraced cottages also contribute to the character and appearance of the GCA and thus to its significance through their traditional form and the layout of their curtilages, enclosed by stone boundary walls that flank historic thoroughfares.
 8. The proposed works comprise the removal of the existing front boundary wall between the site and Scar Top and alterations to the property's front garden to create an off-street parking space.
 9. The removal of the wall may not result in the loss of historic fabric due to the fact that it appears to have been rebuilt. However, those works would nevertheless disrupt the historic layout of the appeal property's front garden, thus eroding the historic legibility of the listed building and causing harm to its special interest.
 10. By creating a discordantly wide gap in the terrace's long front boundary wall the works would also erode the historic pattern and layout of the wider terrace and its external areas. The works would therefore cause harm to the setting of those adjoining listed buildings.
 11. The works would also result in the fragmentation of the front boundary wall and detract from the contribution that roadside boundary feature makes to the character and appearance of the GCA. The effects of the proposal in that regard, together with the erosion of the terrace's historic pattern of development, would cause harm to the character and appearance of the GCA.
 12. A new wall would be constructed behind the parking space. However, even though it would be built in a similar form and materials to other historic walling elsewhere on Scar Top, that new feature would not preserve the historic alignment of the existing front boundary wall. It would therefore not overcome the harm I have identified.
 13. The parking of a vehicle in the small front garden area would also introduce a highly incongruous feature which would erode the open character of that space. It would thus further detract from the special interest of the appeal property, the setting of the wider terrace and the appearance of the GCA.
 14. The appellants have drawn my attention to works that have been carried out to create parking spaces on the opposite side of Scar Top for other properties nearby. However, a clear contrast can be drawn between the terrace's front garden walls and the boundary wall on the opposite side of Scar Top. This is because the character and appearance of that facing wall has been significantly

eroded and fragmented by the removal of numerous sections to provide those other parking areas. Even if this were not the case, I do not have the full circumstances of those changes before me and do not know whether they were the same in all respects to the current proposal.

15. I also observed that various alterations and extensions have been carried out to other buildings in the terrace. However, those works do not alter my conclusions regarding the harm that would arise as a result of the particular works proposed in this case.
16. Given the above, the works would therefore cause harm to the special interest of the listed building, the setting of other nearby listed buildings and the appearance of the GCA. In the context of the National Planning Policy Framework (the Framework), that harm would be less than substantial. However, I give considerable importance and weight to that harm. The Framework requires any such harm to be weighed against the public benefits of the proposal.
17. The works would provide a parking space for the appeal property, which does not have off-street parking at present. I have been referred to existing parking pressures on nearby streets and to damage caused to the appellants' vehicle whilst it was parked on the street nearby. I recognise the benefit to the appellants of having an off-street space in that context. However, such benefits would be private and not public in nature.
18. I observed that several nearby roads are of limited width and that commercial properties and some dwellings in the vicinity are reliant on parking on-street. I am advised that those routes can become congested and that the drivers of larger vehicles can experience difficulties in navigating them at times. In that context the provision of an off-street parking space would have some public benefit in terms of reducing on-street parking demand and congestion and improving highway safety. However, any such benefits arising from the single off-street parking space proposed would be limited and do not outweigh the harm I have identified.
19. The proposal would fail to preserve the special interest of the Grade II listed building or the setting of other nearby listed buildings. It would also not preserve the character or appearance of the GCA. It would therefore fail to satisfy the requirements of the Act and the Framework and would conflict with Policy LP35 of the Kirklees Local Plan which requires proposals to preserve or enhance the significance of heritage assets.
20. I therefore conclude that the appeal should be dismissed.

Jillian Rann

INSPECTOR