
Appeal Decision

Site visit made on 15 February 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2022

Appeal Ref: APP/W4705/W/21/3288404

**Moss Carr Farm, Allure Hair Salon, Moss Carr Road, Long Lee, Keighley
BD21 4SD**

- 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 Lee Ingham against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/04189/HOU, dated 8 August 2021, was refused by notice dated 5 October 2021.
 - The development proposed is portal framed garage/outbuilding to replace existing shipping containers.
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Decision

1. The appeal is allowed. Planning permission is granted for portal framed garage/outbuilding to replace existing shipping containers at Moss Carr Farm, Allure Hair Salon, Moss Carr Road, Long Lee, Keighley BD21 4SD in accordance with the terms of the application Ref 21/04189/HOU dated 8 August 2021 subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Location Plan, J21099 (Proposed Block Plan) & J21099 (Proposed Plans and Elevations).

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the occupiers of nearby residential dwellings.

Reasons

Character and appearance

3. Whilst neatly aligned semi-detached residential dwellings sit on the northern side of Moss Carr Road, the buildings and land use on the southern side of this section of the road have a mixed character and appearance.
4. Here, whilst there are residential dwellings immediately to the west of the site, to the east, agricultural land penetrates up to Moss Carr Road along with agricultural buildings. This arrangement allows views to the south towards other agricultural buildings on the hillside further south.

5. The garage/outbuilding would be set to the rear of the dwelling and would be set on a part of the site that already incorporates a concrete pad. The existing site does not have the traditional appearance of the garden and rather adopts a more utilitarian appearance which is not uncharacteristic of land uses and buildings on the southern side of Moss Carr Road.
6. Within this context, the garage/outbuilding which would have the appearance of an agricultural building by reason of its size, scale and materials would not be out of place. The proposal would not therefore harm the character or appearance of the area.
7. Subsequently it would accord with policies DS1 and DS3 of the Core Strategy (2017) (CS) which amongst other things require well designed proposals that are informed by a good understanding of the site/area and its context and which respond to the existing positive patterns of development which contribute to the character of an area.
8. I have also not found conflict with SPD¹ guidance, which, in relation to garages requires them to be located behind the front wall of the house and which also requires that amongst other things outbuildings should as a minimum maintain the character and quality of the original house and wider area.

Living conditions

9. The evidence indicates that the appellant is a vehicle enthusiast and the garage/outbuilding would be used to house his own vehicles. It would not be unreasonable to assume that the appellant may at times carry out some work on the vehicles and I accept that this could create some noise. However, it would rarely be unreasonable for someone to carry out work to their own vehicles at their home.
10. Whilst I accept that the garage/outbuilding would be larger than that usually associated with a residential dwelling, it would be set towards the corner of the site away from other nearby dwellings. This would minimise the impact of any noise.
11. Further, it is also the case that there is already likely to be some noise within the area by reason of activities associated with the adjacent farm buildings closely to the west.
12. There is no evidence that the building would be used on a commercial basis and therefore noise resulting from personal use is likely to be limited. The proposal would therefore be unlikely to have any significant adverse effect on the living conditions of occupiers of nearby residential dwellings.
13. The proposal would therefore not conflict with policies DS5 and EN8 of the CS which amongst other things require development proposals not to harm the amenity of existing residents and to include noise reduction measures, where appropriate.

Conditions

14. No conditions have been suggested by the Council. However, two are necessary. Planning permission is granted subject to the standard three-year time limit. A condition is added requiring that the development be carried out

¹ Local Development Framework for Bradford Householder Supplementary Planning Document 2012.

in accordance with the approved plans for the avoidance of doubt and in the interests of certainty.

Planning Balance and Conclusion

15. I have identified no conflict with the development plan and there are no considerations which indicate that the appeal should be determined otherwise than in accordance with it. I therefore conclude that the appeal should be allowed.

T J Burnham

INSPECTOR