



Appeal Decision

Site visit made on 18 October 2022

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 4 November 2022

Appeal Ref: APP/Z4718/W/22/3302159

3 Mount Scar View, Scholes, West Yorkshire HD9 1XH

- 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 Alan Aizlewood against the decision of Kirklees Metropolitan Council.
 - The application Ref 2021/62/93817/W, dated 5 October 2021, was refused by notice dated 12 January 2022.
 - The development proposed is the conversion of an existing garage into habitable living space and the erection of a detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal relates to an irregular shaped area of grassland that lies in between a public footpath and a long shared driveway, off the turning head of a short residential cul-de-sac. The topography of the area is such that this cul-de-sac rises up from 4 and 6 Mount Scar View to the junction with Cherry Tree Walk.
4. Whilst the architectural style of the built form varies, residential garden frontages combine with pockets of open space to present soft edges to the surrounding built environment. The appeal site therefore positively contributes to the prevailing pleasant, spacious and relatively green character of the area.
5. The Council has not found the conversion of the existing garage to living space to be objectionable and I have no substantive reason to disagree. Furthermore, design is a subjective matter and given the diverse range of properties in the area I understand the rationale for the contemporary style of the proposed garage.
6. Nonetheless, the submitted plans show the proposed garage to have an awkward angled footprint that would run parallel with the site boundaries of this area of grassland, and to occupy almost all of the entire plot. It would also have a tall and steep asymmetrical pitched roof that would provide visual bulk to the proposed building. These factors would result in the introduction of a dominant and contrived feature that would significantly erode the sense of spaciousness and appear out of context with the prevailing character of the area.

7. The discordant effect of the proposal would be plainly visible from the nearby public footpath, and along Mount Scar View and Cherry Tree Walk. This impact would also be compounded by the removal of the hedgerow shown in the submitted plans (which has already taken place), thereby drawing the eye, and further accentuating its visual prominence from certain directions. As a result, the sloping topography and siting of the proposal in-between large properties would not mitigate this harm.
8. Other than for a garage in the front garden of 10 Cherry Tree Walk, where a large portion of grassed frontage has been retained, I could also not locate any other pitched roof garages with high-ridge lines on my site visit. On the evidence presented I therefore cannot be certain that there are any examples of similar developments that would represent direct parallels to the appeal proposal. I have, in any case, determined the appeal on its own merits.
9. As such, I find that the proposed development would have an unacceptable harmful effect on the character and appearance of the area. It would conflict with Policy LP24 of the Kirklees Local Plan Strategy and Policies (2019), which seeks to promote good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape and landscape. Conflict would also arise with Policies 1 and 2 of the Holme Valley Neighbourhood Plan (2021), which seek, amongst other matters, to protect and enhance the natural and built environment.
10. In addition, the proposal would not accord with the design aims of the Council's House Extensions and Alterations Supplementary Planning Document (2021) and guidance within the National Planning Policy Framework in these respects.

Other Matters

11. I am aware that the Council has found the effects of the proposal in regard to the living conditions of the residents of neighbouring properties and highway safety to be acceptable. Nonetheless, the absence of harm in these respects are neutral factors which do not weigh in favour of the development.
12. In reaching my findings I have had regard to the contents of the Supporting Statement that was submitted with the planning application. I have also been made aware that the proposed garage has been designed to accommodate a Globecar type motorhome as well as a saloon car. The energy efficiency benefits associated with the proposal and the reduction in gas costs are also noted. However, these, or any of the other matters above would not overcome or outweigh the harm that I have found would result.

Conclusion

13. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be dismissed.

Mark Caine

INSPECTOR