
Appeal Decision

Site visit made on 6 January 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2025

Appeal Ref: APP/Z4718/D/24/3348328

4 Rydal Grove, Roberttown, Liversedge, Kirklees WF15 7DN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Christopher Firth against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2024/62/90043/E.
 - The development proposed is erection of outbuilding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the above banner heading has been taken from the decision notice as this accurately describes the proposed development.
3. The works as described above has already taken place at the appeal site although it is understood that the building is unfinished. The scheme has therefore been assessed on a part retrospective basis.
4. An update to the National Planning Policy Framework (the Framework) has been published dated 12 December 2024 but there are no material changes relevant to the substance of the appeal.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the site and surrounding area.

Reasons

6. The appeal site relates to land at 4 Rydal Grove which is a brick built, semi-detached dwelling which is set back from the main road with amenity space to the north between the dwelling and Rydal Grove. It is understood that the principal elevation is located to the south away from the road although people would approach towards the northern elevation for access. The surrounding area is residential and there are some outbuildings to the front of the properties within this side of the street although these tend to be smaller.
7. A detached outbuilding has been erected to the front with a pitched roof. It is of a considerable scale with a single door and window on the eastern elevation with roof lights in the western roof plane. It has been constructed using breeze blocks for the walling with tiles for the roof covering. The building is located in a prominent

position and highly visible from a number of public vantage points including when approaching the site from Huddersfield Road located to the west.

8. The scale of the outbuilding is excessive in terms of its footprint, covering a good proportion of the remaining space to the front of the property. This, together with its overall height appears as overdevelopment of the site and forms a disproportionate addition to the host property. I have had due regard to the remaining square meterage of the site, but the building still covers a good proportion of the space to the front, and this does not therefore alter my findings. At my site visit, I observed other outbuildings along the street although those on the same side of the road were indeed smaller in scale with a lower height and thus not directly comparable to the building in question. The building subject to this appeal is out of character with its surroundings whilst appearing as obtrusive within the street scene.
9. I appreciate that the outbuilding at No 1 is of a good size and height, although its location and positioning within the street scene is different and thus again not directly comparable. In any event, the presence of other large structures and multiple structures at other properties would not be a good enough reason to justify harmful development particularly as I am unaware of the planning history of other structures.
10. The use of breeze block for the walling results in a substandard appearance which further exacerbates the poor design whilst being at odds with others. That said, I appreciate that the elevational treatment is yet to be finished although an alternative palette of materials would still not be sufficient to overcome the harm identified as the building is simply too big in this particular location.
11. Reference has been made to permitted development rights although I have limited detail on this to be certain of a fallback position and thus, I am not convinced that such a structure of equal scale in this location could be built using permitted development rights.
12. For the above reasons, the development unacceptably harms the character and appearance of the site and surrounding area. It is therefore contrary to Policy LP24 of the Kirklees Local Plan, 2019 which ensures that the form, scale, layout, and details of all development respects and enhances the character of the townscape, heritage assets and landscape. For the same reasons, the development is also contrary to KDP1 and KDP2 of the House Extensions & Alterations Supplementary Planning Document, 2021 as well as chapter 12 of the Framework relating to achieving well-designed places.

Other Matters

13. I am aware of the purpose of the outbuilding and needs of the family although this would not alter my findings on the above main issue nor be sufficient to weigh in favour of the appeal.

Conclusion

14. For the above reasons, and having regard to all other relevant matters raised, I conclude that the appeal should be dismissed.

N Teasdale

INSPECTOR