



Appeal Decision

Site visit made on 15 May 2025

by **K Winnard LL.B Hons Solicitor**

an Inspector appointed by the Secretary of State

Decision date: 29 May 2025

Appeal Ref: APP/A4710/D/25/3359300

1 High Court, Heptonstall, Hebden Bridge, Calderdale HX7 7HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Steven Whitaker against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref is 24/00965/HSE.
 - The development proposed is a single storey garage extension and roof alterations.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey garage extension and roof alterations at 1 High Court, Heptonstall, Hebden Bridge, Calderdale HX7 7HA in accordance with the terms of the application, Ref 24/00965/HSE, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Floor Plans Drw No 3208 02 and Proposed Elevations, Existing Property Roof plan, Site and Block Plan Drw No 3208 03 A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be in accordance with the approved plans.
 - 4) Notwithstanding Condition 3, prior to the installation of the doors to the western elevation of the garage, details of the materials and colour to be used shall be submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved details.
 - 5) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping.

The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Procedural Matters

2. The property is located within the Green Belt. This matter is not at issue between the parties and the Council has accepted that the proposal is not inappropriate development within the Green Belt. I agree with this assessment and my decision deals solely with the reason for refusal given by the Council.
3. The appeal scheme consists of two different elements: roof alterations to the dwelling and the existing garage and the extension of the garage. The Council's concern relates to the latter element and accordingly I shall direct my assessment to this element of the proposal.
4. The Council changed the description of the development and I note that this was also used by the agent for the appellant within the appeal documentation. I have accordingly used this description as it is more succinct.

Main Issue

5. The main issue in the appeal is the effect of the development on the character and appearance of the property and the area.

Reasons

6. The appeal property, 1 High Court, (No 1) is the first dwelling in a row of modern detached stone built dwellings sited at the western end of Heptonstall Slack. Heptonstall Slack is sited within a Special Landscape Area and has an intact historic character characterised by terraced and detached dwellings of predominantly old buildings, some of which are listed, of traditional construction and linear form in a rugged landscape. There are elements of more modern development, including the appeal property, within the settlement. Notwithstanding the mix of old and modern development, there is a strong co-ordinating effect between the buildings which contributes positively to the character and appearance of the area.
7. Whilst not characteristic of its historical context, there are a number of garages, predominantly associated with modern development, found within the area. No 1 is sited on a corner plot with the main road with elevations facing both it and High Court. It has a small existing garage which faces directly onto High Court although due to its positioning the garage can also be seen, albeit fleetingly, in closer views when travelling along Slack Top on the approach to Heptonstall from the west. The proposal is to extend the existing garage doubling its length whilst retaining the same height and form. A small timber shed with a metal roof to the side of the existing garage would be demolished.
8. The design and style of the garage as proposed would reflect the existing linear form and height of the existing garage. It would use local materials and the appellant has offered to paint the doors an appropriate colour in keeping with its

surroundings. It would be of a compatible height within its surrounding context. Notwithstanding its proximity to the main road, it would be visually contained within the backdrop of existing built form on the southern side of Slack Top and existing vegetation and landscaping. Whilst landscaping would not screen the garage in its entirety, views of the proposed development from the west would be fleeting or partly screened by vegetation. Provided the existing trees and hedges were retained, the scheme would not result in a significant material change to the prevailing historic appearance of the area. This, together with the colour of the garage doors, could be secured by condition. Further, the scale of the existing dwelling is such that the garage as extended would not compete with, nor dominate the dwelling. As such it would not cause unacceptable harm to the character and appearance of the host dwelling and the area.

9. The listed buildings within Heptonstall Slack derive their significance from their connection to the historical growth and development of the village and their architectural character. The setting of a heritage asset is concerned with the way the heritage asset is experienced. Owing to the positioning and intervening distances of the listed buildings and No 1 and given the layout of the proposed development, the visual relationship between it and the listed buildings is limited. The listed buildings would remain the foremost feature in most views and would still be preserved within their setting. The proposal would not in my view affect their character significantly nor be prominent in views of the listed buildings. As such it would preserve the setting of the listed buildings and their significance and not have an unduly harmful effect on the area more generally.
10. Accordingly, the proposal would not cause unacceptable harm to the character and appearance of the area and the surrounding landscape. It would accordingly be in accordance with Policies GN4, HE1 and BT1 of the Calderdale Local Plan (adopted March 2023). These policies together and amongst other matters, require development to make a positive contribution to the quality of the existing environment and to be designed in keeping with their location in terms of amongst other matters, height, massing, scale, form, siting and materials. Nor would it be in conflict with the design and historic environment objectives of the National Planning Policy Framework.

Conditions

11. The Council has suggested a number of conditions. A condition as to timescales and for the development to be carried out in accordance with listed approved plans are necessary for the avoidance of doubt and in the interests of visual amenity. Conditions in relation to the materials to be used, including those relating to the garage are also necessary in the interests of the character and appearance of the area. Conditions in respect of landscaping and maintenance of the same are required in the interest of visual amenity and to ensure a successful planting scheme.

Conclusion

12. For the reasons given above, the appeal is allowed as set out in the formal decision notice above.

K Winnard

INSPECTOR