

APPEAL REPORT

LOCAL AUTHORITY: KIRKLEES MC
APPLICATION REFERENCE: 2022/62/93909/W
DESCRIPTION OF PROPOSAL: ERECTION OF SINGLE STOREY OUTBUILDING

APPLICATION SITE: ABINGER MISTLE
SCHOLES MOOR ROAD
SCHOLES
HOLMFIRTH
HD9 1RU

DATE OF DECISION: 30 JANUARY 2023

REASON FOR REFUSAL:

1. The outbuilding, by virtue of its prominent siting, large scale and massing and poor design and materials, introduces an unsympathetic, incongruous and overly dominant feature within the site which is considered to detract from the simple character of the original property and adjoining row of terraces, as well as impacting negatively upon the streetscene. The development also results in the loss of garden/amenity space to the front of the property, thus reducing space around the dwellinghouse, and undesirably urbanising this site in an open and rural location. The development therefore causes detrimental harm to the visual amenities of the locality, contrary to Policies LP24 (c) and LP57 (c and d) of the Kirklees Local Plan, Policies 1 and 2 of the Holme Valley Neighbourhood Development Plan, Principles 1 and 2 of the Council's adopted House Extensions and Alterations Supplementary Planning Document and Policies contained within Chapter 12 of the National Planning Policy Framework.

STATEMENT OF APPEAL

1.00 - THE SITE

Abinger Farm is a development of 5 attached barn conversions off Scholes Moor Road, Scholes. Planning permission was granted in 2020 (2020/92495) for the proposals and the project was completed in September 2022. Abinger Mistle, one of the 5 conversions, is the property closest to Scholes Moor Road

2.00 - THE OUTBUILDING

Originally, prior to work commencing, the arrangement of agricultural barns included an outbuilding, built into the roadside boundary dry stone wall and used as a tractor store. This can be seen on Photograph 1 and on the site plan (1993/01) that forms part of this appeal.



Photograph 1 - Outbuilding prior to development commencing. Note open frontage, stone walls and corrugated roof.

During the construction phase, the developer, took the outbuilding down and re-built it in a similar location to provide storage for the first property. The developer considered that the works would be permitted as it involved the rebuilding of an existing outbuilding on a smaller scale. The rebuild included integrating the building into the roadside boundary wall, constructing the walls with a sympathetic drystone finish, and roofing the mono pitch with an agricultural style cladding panel, see Photograph 2. The intentions were to create a more usable interpretation of the existing outbuilding, not an extension to the habitable accommodation. Subsequently Kirklees MC planning enforcement were made aware of the structure, and the developer informed a planning application was necessary.



Photograph 2 - The rebuilt outbuilding. Although re-orientated please note open frontage, stone walls and cladding roof.

A planning application was submitted in early December 2022, with a refusal notice issued within 8 weeks.

3.00 - REASONS FOR REFUSAL AND COUNTER RESPONSE

REASON

The outbuilding, by virtue of its prominent siting, large scale and massing and poor design and materials, introduces an unsympathetic, incongruous and overly dominant feature within the site which is considered to detract from the simple character of the original property and adjoining row of terraces, as well as impacting negatively upon the streetscene.

COUNTER

SITING

It is argued that the outbuilding is in a very similar location as the original outbuilding, so siting should not be an issue. The building is built into the boundary drystone wall as before.

LARGE SCALE

The original tractor store measured 7.9m x 7.6m. The current outbuilding measures 6.0m x 5.4m. Based on area the current outbuilding is 53% of the original store. This is a significant reduction in scale to what has stood on the site for many years.

MASSING

Based on the scale figures the massing can only be viewed in a similar manner. The reduction in mass is considerable and as a consequence of no detriment to the openness of the Greenbelt.

POOR DESIGN AND MATERIALS

The design is comparable being a simple, mono pitch outbuilding. The stone was stored on site and re-used. In terms of the roof, it is no longer suitable to use asbestos corrugated panels, so the use of profiled cladding, similar to those on many agricultural buildings in the area, was considered a suitable alternative. It is accepted that the internal walls are blockwork, but these can be easily clad (eg timber vertical boarding) to conceal them.

INCONGRUOUS AND OVERDOMINANT

This is contested as the original building, which as mentioned was significantly larger in size to the current building, had occupied a similar location for many years. The building had been a long standing built feature along Scholes Moor Road (See Image 3), therefore re-creating a significantly smaller version of the original outbuilding is unlikely to have a negative or adverse impact upon the streetscene.



Image 3 - The original outbuilding prior to development work commencing.

REASON

The development also results in the loss of garden/amenity space to the front of the property, thus reducing space around the dwellinghouse, and undesirably urbanising this site in an open and rural location. The development therefore causes detrimental harm to the visual amenities of the locality.....

COUNTER

LOSS OF GARDEN / AMENITY SPACE

The house, Arbinger Mistle, has a sizeable garden to the rear of the property. The front of the property is close to the vehicular entrance, which is used by 4 other houses. This area is unlikely to be used for garden space due to the lack of privacy. The property maintains amenity space for the everyday requirements of the owner.

UNDESIRABLY URBANISING THE SITE

The outbuilding is very much a structure that will be commonly seen in many rural locations. We question the use of the word 'urbanising', as this seems inappropriate in this case. The design and materials are very much in line with the character of a typical agricultural/rural building, and not that of a typical urban building. To this end it is argued that the building does not detrimentally harm the visual amenities of the locality.

4.00 - CONCLUSION

It is accepted the outbuilding was constructed without planning permission. The developer naively re-built the existing outbuilding, assuming permission was not required, due to the existing store location and the significant reduction in size. In terms of the current outbuilding it has been judged on its own merits by the local planning department, and assessed not to be acceptable. We trust, if the outbuilding is assessed as it stands, it is acknowledged that it does actually form an acceptable part of the development, being comparable to an original building in design and considerably less in scale terms, and one that historically sat in a similar location. We therefore respectfully request that the appeal is supported.