

**Ref: Planning Application 2022/62/94046/E**

**Change of use from paddock to residential curtilage and retention of engineering works (within a Conservation Area)**

**Meadow Barn, 16, Manor Road, Farnley Tyas, Huddersfield, HD4 6UL**

I list below my comments and objections to the above application :-

1. The application form describes the proposed development as “Change of use from paddock to residential curtilage and retention of engineering works”.

**Residential Curtilage** is not a planning use class. The correct description should be Class C3 Domestic use.

2. The applicant wishes to retain the trampoline in its current location even though there is ample room for such apparatus to be positioned within the existing domestic curtilage of the property. The applicant has not submitted any argument in support of the proposed positioning of the apparatus on the paddock site.

3. In the statement submitted with the application to retain the engineering works, the applicant states:-

*“It is noted that the Council may consider that the installation of the trampoline results in a change of use of the established paddock to a more leisure orientated or domestic use. That is not considered to be a reasonable position to take.”*

The engineering works include the excavation of a pit for and installation of a trampoline. The installation of the trampoline (being children’s play equipment) is an unlawful material change of use of the site from paddock to residential.

4. By extending residential curtilages, changing plot boundaries and introducing domestic uses to land which was previously agricultural, garden extensions can have a significant visual impact. If permission is given to this change of use, it is reasonable to anticipate that a more intensive residential use would follow, with further ornamental planting, domestic paraphernalia, garden buildings and structures.
5. This proposed change of use would create an **additional** domestic garden area of approximately 1,300M2. This would be totally out of proportion with the existing residential curtilage of 720M2 and completely out of character with adjoining and nearby properties within the conservation area.

6. In the appeal decision dated October 2017, Ref: APP/Z4718/W/17/3177622 the inspector stated:-

*“Manor Road’s contribution to the Conservation Area is derived from a clustering of principally traditionally styled residential properties and farm buildings that are interspersed with open gaps that allow views through to the countryside. These gaps contribute towards the semi-rural character and are a constituent of the significance of this part of the Conservation Area. **The importance of the site in this regard has been acknowledged through previous appeal decisions on the site in 1984 and 2001,..”***

7. The original paddock has been subdivided over recent years following the unsuccessful attempts to obtain planning consent for residential development. This parcel of land and the adjoining paddock remain as an important open space within this section of Manor Road. A change of use, as proposed by this application, would set a precedent which would endanger all remaining gaps and fields along Manor Road and within the whole of the Conservation Area.
8. With regard to the Historic environment, section 14.1 of the Kirklees Local Plan states:-

*“National Planning Policy Framework (NPPF) states that local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. Councils should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.”*

Policy LP5 of the Local Plan states :-

*“3. Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to:*

*a. ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets ;*

*b. ensure that proposals within Conservation Areas conserve those elements which contribute to their significance;”*

9. A change of use of this Paddock to Residential Class C3 would be contrary to the above policies and the application should therefore be refused.