Design Statement

Spring Hall Mount

Binn Lane

Marsden

HD76NW

Statement

Spring Hall Mount is a Grade II listed detached property located off Binn Lane at Marsden, Huddersfield.

The property was built during the mid-eighteenth century with additions to the property being added during both the nineteenth and twentieth centuries.

The property was listed in 1985. The historical record has been consulted and the significant heritage assets have been identified.

Spring Hall Mount has undergone a programme of renovation over the past fifteen years that has helped secure the conservation of the property with minimum development. The house is now used as a family home.

Prior to purchase and prior to renovation work, the current occupiers have consulted with conservation officers from the local authority.

Historic England Listing

Details

SE 01 SE BINN LANE Marsden 5/26 Spring Hall Mount -

- II

Late C18 with later extensions. House. Hammer dressed stone. Quoins. Pitched stone slate roof. Two storeys. North West elevation: Ground floor: one 3-light stone mullioned window (1 mullion removed); one 4-light stone mullioned window. First floor: one 10-light stone mullioned window (two centre lights blocked and 4 mullions removed). North East elevation: later lean-to extensions to rear and north-east gable. To south-west is later dwelling of no architectural value.

Listing NGR: SE0518610599

Introduction

Spring Hall Mount is a Grade II listed detached property located off Binn Lane at Marsden. The property is uniquely positioned 300 metres above sea level, facing Northwest on an exposed hill side above Marsden. The property forms part of an early settlement known as Binn and is near to similar type properties.

The applicant and current owners purchased the property in March 2010 and have made the property their family home, completing a programme of renovations under the guidance of conservation officers.

The applicants are now seeking the following permissions:

1. To retain a boundary fence and driveway gates constructed mid 2024 at the rear of the property
2. To replace wooden guttering at the rear of the property with cast iron effect guttering to match guttering and rainwater goods at the front of property and on the newly constructed annex.

Boundary Fence/Gates

The boundary is at the rear of the property and separates Spring Hall Mount from Spring Hall Farm.

Issues with regards to this boundary can best be described as problematic. These issues are described in more detail below. The applicants installed the fence following several consultations with Planning Enforcement officers (again, detailed below) as a necessary and proportionate response to the ongoing issues with the occupant at Spring Hall Farm.

Historically, occupants of Spring Hall Farm had vehicular access to their property using the top part of Spring Hall Mount's driveway. This right of way had been in place since 1928 and had been agreed at a time when horse and cart would be the preferred transport and neighbours behaved neighbourly.

Fortunately, in 2022, the occupant of Spring Hall Farm submitted plans for a separate access, application number 2022/62/92922/W.

The plans followed the existing boundary which had been in place for several decades.

Included in the plans was the removal of the existing wooden fence and gate which were to be replaced with a dry-stone wall.

In her personal submission to the planning authority, the occupant of Spring Hall Farm stated the following:

'The new wall will increase the privacy of my neighbours, and will thereby benefit the quiet enjoyment of their private property.'

The submitted plans were also reviewed by conservation officer, Sebastian Pickles, who stated the following:

'The proposed works relate the creation of new vehicular access to the site of Spring Hall Farm. The site is with the setting of the Grade II Spring Hall mount. The existing access arrangement makes use of the historic entrance to Spring Hall Mount of which there is an existing timber fence which allows for access to Spring Hall Farm, which is to the immediate south of Spring Hall Mount.

The proposals would see the existing fence removed and a stone wall erected. A new entrance driveway would be created. The proposed driveway has been detailed as being of stone sets, which we are entirely supportive of. We would additional raise no concerns to the proposed wall. We would however ask for it to be conditioned for the wall to be of a dry-stone wall construction.

Subject to the stated condition being attached, we would raise no further comments to the proposed works.'

Works on the new driveway began during the summer of 2023 and were concluded in September 2023. Unfortunately, the work was not completed in accordance with the approved plans.

The dry-stone wall which was both vital for the safety and the privacy of the applicants was not built. Instead, the existing wooden fence and gateposts were left in place and a ramped driveway was constructed. No planting was completed to provide any privacy.

In addition to the wall not being constructed, as can be seen from the above image, the occupant of Spring Hall Farm installed a fence adjacent to the road which was not included on the plans. As can also be seen, the occupant of Spring Hall Farm began to use this fence (which was already causing an obstruction of the highway) to attach building materials.

Concerns were raised with planning enforcement officers who advised the applicants that an on-sight investigation would take place.

After waiting several months the applicants received the following response from planning enforcement officer, Chris Cockcroft:

'Good Afternoon,

Thank you for your correspondence. I consulted with a senior colleague regarding the pallets and buckets and they agreed with my conclusion that it is not development and not untidy land. I did not measure the height of the fence, but I guess it could be a little over 1 metre high, so not technically permitted development. I could ask them to apply for planning permission, but if they don't, it would not be expedient for the council to issue an enforcement notice.

I will be requesting that they comply with the planning permission regarding the wall.

I hope this is of assistance.

Yours Faithfully,

Chris Cockroft

Planning Enforcement Officer'

The complaint was finalised. The applicants were not satisfied with this response so contacted the planning enforcement supervisor, Lee Stoney who responded with the following:

'Dear Mr Coldwell

Sorry for the delay in responding. Firstly I understand your frustrations with your neighbour placing items on the wall.

Stacking items, such as wooden pallets within the curtilage of the dwelling does not constitute development requiring planning permission, therefore planning policies are not relevant. That would only be relevant if it were a development requiring planning permission.

I aware of the correspondence between yourselves and Mr Cockroft.

Mr Cockroft has informed you he will contact the owners about completing the wall.

I note the fence that has been erected, however it is not 2.3m in height as your measurement was from the adjacent land and not a measurement from the ground level to which the fence has been erected. Normal permitted development rights allow fences up to 2 metre in height or 1 metre adjacent to a highway.'

As can be seen from these responses, neither officer acknowledged that the boundary is with a Grade 2 listed building. They also fail to acknowledge powers under the Town and County Planning Act 1990 which, if used, could have prevented hundreds of pound worth of damage being caused to the applicant's vehicle.

In view of this, and the lack of support from the authority, the applicants installed the first part of the fence alongside the existing fence which had not been removed as per the plans. The fence was post, rail and palings in a style like the existing structure with the exception that the height was raised to 1.8m.

On completion of this part of the structure, the occupant of Spring Hall Farm then constructed a pallet and pipe fence along the remainder of the boundary. It should also be noted that the large gate and pallet attached to the fence are padlocked and have been a permanent fixture.

In response the applicant took the necessary action to extend the new fence along the boundary to preserve the setting of Spring Hall Mount. On completion, gates designed locally by Job Earnshaw, were installed in line with the historical gate post.

Design

The fence is a traditional design to compliment the rural setting and the host dwelling. It is also representative of the existing fence. Construction is by post, three rails and palings. Wood is treated but left unpainted. In time the wood will fade to a stone-grey colour. The position of the fence is in an exposed area and subject to extremely high winds. The design allows winds to pass through the fence whilst maintaining strength and offering privacy.

The fence is 1.8m in height and set back from the highway by 1m.

The applicants have sought advice from planning enforcement officer, Charlotte Hancock, as to the minimum distance a fence should be set back from the highway, Charlotte was

unable to provide this information stating that each application is considered on its own merit.

Whilst the applicants accept that the fence may be considered as adjacent to the highway, Binn Lane is a single-track farm lane used mainly by the few residents that live in the area. Although unrestricted, conditions dictate that speeds of vehicles are extremely low.

With regards to causing an obstruction, the neighbouring fence at Spring Hall Farm, which has been permitted by officers without planning permission, is 1.15m high and only 90cm set back from the highway. The occupant has also planted a dense blackthorn bush at the roadside so it is not possible for the newly installed fence to cause any further obstruction as per the below photograph.

The applicants have also installed a temporary fence surrounding the patio area. Permission is not sought for this fence as it will be removed and replaced with native hedging. Bare root plants are only available from November.

The following pictures show the completed fence and gates. The development has received several positive remarks from passing walkers.

Guttering

Despite having no contact from planning enforcement, the applicants are aware that a complaint has been raised in May 2024 that concerns the fixture of new guttering at the rear of the property.

The applicants are surprised by this issue as the rainwater goods are not part of the heritage statement or listing and, despite numerous applications previously submitted, planning officers have never specified rainwater goods. The applicants have replaced this guttering as part of the ongoing maintenance of an old property.

On purchasing the property, rainwater items were a mixture of wood and plastic. All were in a state of disrepair and following discussions with conservation officers at the time (2010) we were advised that Cascade Cast Iron effect rainwater systems supplied by Brett Martin were a suitable alternative to round plastic and rotten wood. Whilst the cost of these

systems are significantly higher than traditional systems, lifespan is longer than wood making them more efficient and more environmentally friendly.

The wooden guttering at the rear of the property had reached the end of its life, and due to issues with the roofing materials, rainwater was causing damp and damage to the lime mortars.

The guttering was replaced to prevent further damage to the host dwelling and to match the rainwater goods fitted at the front of the property and on the annex.

There has never been any iron work on the property since the applicants have owned the house.

Attached to this application is a brochure showing these rainwater goods. For clarity, the applicants have used 106mm Prostyle gutters, round down pipes and Ogee hoppers.

Summary

The proposal will ensure that Spring Hall Mount can continue to be the applicant's long-term family home.

The applicants hope that the planning officer and conservation team will see that despite significant issues with a neighbour, they continue to invest significantly to maintain and improve Spring Hall Mount, ensuring it provides a safe and comfortable family home for future generations.

The applicants are not property developers and have no intention of selling Spring Hall Mount.

The applicants do accept that planning permission should have been sought prior to the installation of the fence, however, they do hope that the planning authority will understand why it was necessary to take positive action quickly during the summer months.

The applicants do believe that the replacement guttering is simply ongoing maintenance but are happy to seek listed building consent if this is deemed necessary.