

Appeal Decision

Site visit made on 1 November 2016

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 November 2016

Appeal Ref: APP/X4725/D/16/3156117
2A Standbridge Lane, Wakefield WF2 7DY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr John Stead against the decision of City of Wakefield Metropolitan District Council.
 - The application Ref 16/01229/FUL, dated 17 May 2016, was refused by notice dated 8 July 2016.
 - The development proposed is to erect a first floor balcony at the rear and change a window to sliding doors. Wall up ground floor window. Resubmission of refused application 15/01724/FUL.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are:
 - Whether the proposed development would preserve the setting of adjacent listed buildings; and
 - The effect of the proposed development on the character and appearance of the host building, and the surrounding area.

Reasons

Whether the proposed development would preserve the setting of adjacent listed buildings

3. The appeal property is an upper floor flat within a substantial two storey detached building, the ground floor frontage of which is occupied by a hairdressing studio. The front and the two flank elevations of the appeal building are of stone construction, under a slate roof. At the rear, the building has been added to with a large two storey rear element, finished in a smooth render and painted in an off-white colour. The central roof element at the rear has a pitched slate roof with peak, flanked on either side by areas of flat roof.
 4. Ground levels fall away from the roadside at the front of the property towards the rear, such that the rear elevation has a greater and more imposing presence than the front elevation of the building would suggest. Set slightly behind and to the side of 2 / 2a Standbridge Lane is the grade II listed 4 – 6 Standbridge Lane. That building is a wide but low two storey building, the right hand bay of which continues beyond and behind the flank elevation of No2 / 2a.
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5. The smooth white render and window details on the site and rear elevations of the building give it a striking and somewhat stark appearance, at odds with the more traditional appearance of the adjacent listed building. The difference in ground levels from the front to rear of the site has the effect of giving the white-rendered rear elevation of No 2 / 2a an imposing presence which, due to the close physical relationship between the two buildings, makes the listed building feel somewhat hemmed in and overpowered by the larger appeal property.
6. Positioned on either side of Nos 4 – 6, the appeal property and a more modern dormer bungalow at 6b and 6c Standbridge Lane significantly curtail views of, and towards, the listed building. Longer views are limited to oblique views from the north, across the well-stocked front garden area of 356 Barnsley Road, itself a grade II listed building, from where the top of the gable elevation of Nos 4 -6 is just visible above the boundary vegetation between No 356 and the appeal property.
7. The proposed first floor balcony would be an essentially light structure. The balcony deck would be supported by slender steel columns, whilst the balustrade would, for the most part, be made up of clear glazed panels. Crucially however, in order to retain privacy to the adjacent property, No 356, to the north, the return glazing panels on the side facing towards that property would be fitted with obscured glazing. Whilst such an approach may well succeed in protecting the privacy of the adjacent dwelling, glazed panels of this nature, and the balcony deck itself, would significantly impinge upon the one remaining long, street-level, view towards the listed building. This would, I conclude, result in harm to the setting of the listed building and its appreciation from public vantage points.
8. The balcony and its supporting columns would stand in very close proximity to the front right-hand corner and side elevation of Nos 4 – 6. Whilst that relationship would not be immediately, or indeed widely, visible from public viewpoints, it would become increasingly visible on approach to the front entrance to Nos 4 – 6 as views open out around the rear corner of the appeal property towards the site of the proposed balcony. Due, in part, to the difference in ground levels but also as it would be positioned at first floor level, the balcony would be dramatically out of scale with the listed building. This would add to the sense of that building being overpowered and hemmed in by the appeal property, thereby resulting in further harm to the setting of the listed building.
9. I have a statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving the listed building or, as is the case in this instance, the setting of the listed building. Paragraph 132 of the National Planning Policy Framework (the Framework) states that any harm to a heritage asset should require clear and convincing justification and, having identified harm, that harm must be given considerable importance and weight. However, whilst I have identified harm this would, in the parlance of the Framework, amount to less than substantial harm. In accordance with paragraph 134 of the Framework, that harm should be weighed against the public benefits of the proposal, including securing its optimal viable use.

10. The benefits of the proposal, going beyond the justification for the design approach set out in the appellant's grounds of appeal, largely relate to private benefits that would accrue to the occupiers of the appeal property. I acknowledge that the balcony would not be particularly visible from within, or at the rear of, the adjacent listed building at Nos 4 – 6. It is also acknowledged that, by proposing the fitment of obscure glazing in the balustrade on the side facing towards 356 Barnsley Road, the proposal would avoid the overlooking of, or loss of privacy to, that property. Finally, I note that the Council have not argued that the proposal would harm the setting of the listed building at 356 Barnsley Road. However, there would be little public benefit arising from the proposal to offset the identified harm to which I must attach considerable importance and weight.
11. The proposal would therefore cause less than substantial harm to the setting of the listed building at 4 – 6 Standbridge Lane, from which there would be little public benefit arising to offset the harm that I have identified. Whilst policy D18 of the Local Development Framework: Development Policies (DP) is referred to in the refusal reason, it does not expressly refer to listed buildings, instead referring more generally to development affecting historic locations. Although elements of this policy could be applicable to listed buildings I attach limited weight to the provisions of this policy for this reason. However, for the reasons set out above, the proposal would not preserve the setting of the listed building at 4 – 6 Standbridge Lane, and would not therefore accord with the policies of the Framework which seek to conserve and enhance the historic environment.

Character and Appearance

12. As described above, the rear of the appeal building has a clean, crisp appearance arising from the off-white painted render and modern detailing to the large side and rear first floor window openings. Views of the rear of the property are limited to those from adjoining properties, and the rugby club, to the rear.
13. The proposed balcony would not be widely visible from public vantage points; those being limited to the elevated side elevation from the north. The design of the balcony, and particularly the choice of materials, would give it a modern appearance which I find would be in keeping with the character and appearance of the rear of the appeal property.
14. Although the proposal would represent a considerable contrast to the more traditional appearance of the front of No 2 / 2a, I am satisfied that the setting of the front and rear elevations of the appeal building are sufficiently separate in visual terms to ensure that the proposed balcony would not harm the character or appearance of the host building. Nor, I conclude, would it result in significant harm to the visual amenity of the locality. Thus, for the reasons set out I conclude that the proposal would not be contrary to DP policies D9 or D10, which together seek to maintain or enhance the distinctive local characteristics of the district's settlements and, amongst other matters, respect the character and scale of the dwelling to be extended.

Conclusion

15. Whilst I have concluded that the proposed balcony extension would not cause harm to the character or appearance of the host building, or the surrounding

area, I find that it would cause harm to the setting of a listed building. That is a matter which must attract considerable importance and weight against the proposal. In the parlance of the Framework, the proposal would cause less than substantial harm to the significance of the heritage asset, that being the listed building at 4 – 6 Standbridge Lane. I must attach considerable weight to that harm which I find would not be outweighed by any public benefits.

16. Thus, for the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR