
Appeal Decision

Site visit made on 15 November 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 21st November 2017

Appeal Ref: APP/W4705/W/17/3180154

1 Wharf Street, Shipley, West Yorkshire BD17 7DW

- 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 Andrew Howe of Centriamo Ltd against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 17/00984/FUL, validated on 22 March 2017, was refused by notice dated 15 May 2017.
 - The development proposed is replacement of existing derelict garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The garage had been built in accordance with the submitted plans at the time of my visit. The Council treated the development as retrospective, as have I.
3. The declaration date on the application form was not clear. As such, I have used the date the application was validated in the header above.

Main Issue

4. The main issue is whether the development preserves or enhances the character or appearance of the Leeds and Liverpool Canal Conservation Area (LLCCA).

Reasons

5. The appeal relates to a single storey garage extension built on to the side of a 3/4 storey nineteenth century stone building that is currently in use as a funeral directors. The building takes up a prominent location with all four elevations visible from publically accessible vantage points. The frontage facing Otley Road is not affected by the development. However, the garage is visible from both the towpath running opposite the canal to one side and from Wharf Street itself on the other.
6. The site lies within the LLCCA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 132 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the

significance of a designated heritage asset, great weight should be given to the asset's conservation.

7. The evidence provided indicates that the significance of the LLCCA derives from the industrial heritage of the area and the resulting built form, architecture and townscape character. The assessment provided by the Council identifies the warehouses located further along Wharf Street as being particularly important in terms of the area's industrial character. It also notes that the upper floors of the host building retain their original character and that while the shop front is modern in construction, parts of it retain a traditional appearance. In my view, the character and appearance of the main building makes a positive contribution to the significance of the conservation area.
8. The evidence indicates that the development replaced a smaller flat roof structure that was set back significantly further into the site than what is currently in place. The replacement garage has taller a mono-pitched roof, with the external walls and roof constructed from coloured profiled metal sheeting.
9. The buildings on this side of Wharf Street are predominantly stone built and thus retain a largely homogenous and complementary character. When viewed from both Wharf Street and the canal towpath, the materials used in the development create a stark and unsympathetic contrast with the stonework of the host building and that of other buildings along Wharf Street. When viewed from the towpath, there is no complementarity between the design, scale and form of the development to the design, scale and form of the wharf buildings further along the canal. While there is some similarity in the colour of the metal work with other nearby features, there is a clear visual difference between the modern metal material of the extension and the painted timber used in the wharf buildings. The garage extension therefore stands out as an incongruous addition to the townscape character of the canal.
10. From the towpath, the neighbouring building has a pebble dash exterior and metal roof which also does not complement the character of other of No 1 or other traditional buildings in the immediate vicinity. However, the relatively modern alterations to the materials and external appearance of this building do not justify the further erosion of the character of this part of the LLCCA that has been precipitated by the development. Indeed, the presence of the garage serves only to create something of a jumble of contrasting materials which further detracts from the quality of the host building and the contribution it makes to the quality of the historic environment in this location.
11. The jarring contrast between the extension and its host is equally prominent when viewed from Wharf Street. I recognise that the gable and pitched roof element of the neighbouring building are painted in a similar cream colour to the development. Both buildings also have metal roofs that are visible from the street. The similarity in the colour of the walls does not conceal the clear difference in appearance resulting from the materials used or the inappropriate relationship with the host building and the remainder of the street. In addition, the similarity in roofing materials does not lend significant weight to the development when considered as a whole. The relationship between the development and the neighbouring building therefore does little in my view to justify the appearance of the development or the materials used within the context of the LLCCA.

12. I understand that the previous building was pebble dashed and would also have differed in appearance to the host. Nonetheless, the plans make it clear that the previous building was much smaller and set back from the roadside and thus is unlikely to have been as prominent as what has been built. The garage dominates the western elevation and stands out as a conspicuous and discordant addition that is harmful both to the character of the host building and the street scene.
13. Taking all of the above into account, I find the development fails to preserve or enhance the character and appearance of the LLCCA. Accordingly, there would be conflict with policies BH7 and D1 of the Bradford Replacement Unitary Development Plan (2005) which seek, amongst other things, to ensure development is of a high quality of design which preserves or enhances the character or appearance of conservation areas. I would not characterise the harm caused as the substantial harm referred to in paragraph 133 of the National Planning Policy Framework (the Framework). However, in circumstances where less than substantial harm has been identified, paragraph 134 of the Framework states this should be weighed against any public benefits of the development.
14. I had the opportunity to view the garage in use and could see that it allows business to be conducted with some degree of privacy and discretion. This is clearly important for a business such as this and for their clients. Nonetheless, this is still primarily a benefit derived for the private interests of the company. In any event, there is also nothing before me which demonstrates that the garage as constructed is the only viable way of achieving the same benefits or that this is the only viable use of the building. I have therefore given this factor only limited weight in my decision.
15. No other public benefits have been identified by the appellant. As such, the limited public benefits arising from the proposal would not outweigh the harm identified, to which I must attach considerable importance and weight. Accordingly, the development would not accord with the policies of the Framework which seek to conserve or enhance the historic environment.

Other Matter

16. An interested party raised the issue of land ownership. This is a matter between the interested party and appellant and is outside the scope of this appeal. The planning application and appeal were accepted as valid and I have progressed on that basis.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR