



Appeal Decision

Site visit made on 29 October 2019

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 26 November 2019

Appeal Ref: APP/W4705/D/19/3230492

Lower Mill Hill Farm, Butt Lane, Haworth, Keighley BD22 8QJ

- 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 Brownless against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 19/01177/HOU, dated 15 March 2019, was refused by notice dated 14 May 2019.
 - The development proposed is a two storey extension to the rear and a first storey extension to Butt Lane.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. My site visit was scheduled as an access required site visit. This was changed to an unaccompanied site visit. I was allowed unaccompanied access into the appeal site by the appellant and was able to see the relevant parts of the site and consider the main issue on this basis.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Haworth Conservation Area.

Reasons

4. The appeal property is a detached, two storey dwelling which sits alone in an elevated and prominent corner plot at the junction of Butt Lane and Belle Isle Road within the Haworth Conservation Area (HCA).
5. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, the National Planning Policy Framework (Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
6. The Conservation Area Assessment for the HCA (dated 2003 and adopted 2004) states that the conservation area has a chaotic charm with buildings of different mass, type and age set at different angles and distances from the

street, but that these are unified by factors such as the use of local materials to the buildings; the historic street pattern; open views of the countryside which provides the village's setting; the contours of the land which results in buildings stepping down the hillside; and original details and features such as mullioned timber windows which give the area a historic and architectural quality. These factors contribute to the special architectural and historic interest, and thus the significance, of the HCA.

7. The appeal property is thought to date from the late 17th / early 18th century. It is constructed of natural stone with a stone slate roof and has a render finish to all elevations apart from the south. It displays traditional features such as squared mullioned windows and stone copings to the roof.
8. The building possesses a robust linear form which is only slightly diminished by the existing porch to the south elevation and the existing single storey extension to the north elevation which sits below the street level. It lies parallel to the adjacent steep cobbled route of Butt Lane and steps down the hill following the topography of the land. The building's traditional stepping form, plain design, original architectural features and use of local materials reflect important elements of the built form within the village and cause it to make a positive contribution to the character and appearance of the HCA.
9. I acknowledge that the buildings within the HCA vary greatly in type and form and that the appeal property itself has changed over time. However, the proposed development would introduce two substantial additions to the north and south elevations which, when taken together, would be of a size, scale and massing that would unduly dominate the host building.
10. Moreover, their position at right angles to the building's existing linear form and the large and elongated window openings to the west elevation of the first storey extension and the east elevation of the two storey extension, would add a discordant complexity to its configuration and design that would detract from its traditional historic integrity and plain appearance. This would reduce the building's positive contribution to the character and appearance of the HCA.
11. Although the proposed extensions would be constructed of materials to match the host building, this would not be sufficient to overcome the fundamental objections to their combined size, position and design.
12. Taking into account the building's exposed location and elevated position, the proposed development would be readily visible and excessively prominent in key views within the HCA, particularly from the eastern end of Butt Lane, from the northern end of Belle Isle Road and looking south west from the pedestrian bridge across the railway line. As such, the proposed development would have a harmful effect on the character and appearance of the HCA.
13. Consequently, I consider that the proposed development would not preserve or enhance the character or appearance of the HCA. As such it would conflict with Policies EN3, DS1, DS3 and SC9 of the adopted Bradford Core Strategy Development Plan Document 2017, which, amongst other things, require development proposals to conserve and, where appropriate, enhance the heritage significance and setting of Bradford's heritage assets; to respect and reinforce the distinctive part of the District within which they are located; to contribute to achieving good design and high quality places; to create a strong sense of place; and to be appropriate to the local context. Although referred to

in the Council's delegated report, but not in its refusal notice, I also consider that it would fail to comply with the Council's Householder Supplementary Planning Document 2012 which, amongst other things, states that the size, position and form of extensions should maintain or improve the character and quality of the original house and wider area.

14. Having regard to Paragraph 196 of the Framework, the harm caused to the significance of the HCA would be 'less than substantial', because it would be limited to the immediate surroundings of the dwelling and specific views within the HCA. This harm needs to be weighed against the public benefits of the proposed development. I acknowledge that the proposed development would provide additional living accommodation and meet the needs of the appellant. However, no public benefits have been submitted that would outweigh the harm to the HCA. As such the proposed development would not comply with Paragraph 196 of the Framework.

Other Matters

15. The appellant has drawn my attention to the fact that the character appraisal for the HCA was adopted in 2004, and that although the Council carried out a review of the appraisal in 2007, it has not been reviewed since. As best practice states that conservation area appraisals should be reviewed every five years, the appellant contends that the appraisal is out of date and should be given limited weight. Be that as it may, this does not, in itself, lessen the special architectural or historic interest of the HCA or its designation as a heritage asset. From viewing the HCA on my site visit, I have no reason to conclude that the special architectural or historic interest of this part of the HCA has been altered or diminished to such a degree that it is not worthy of being included within the designated area. Furthermore, even if I agreed that the character appraisal is out of date and should be given limited weight, it is clear that the policies within the development plan which the proposed development has been assessed against are up to date and that they are consistent with the relevant policies within the Framework.
16. I have had regard to the image which shows that, historically, there was what appears to be a single storey agricultural building attached to the north elevation of the farmhouse. The appellant contends that the proposed extension would reinstate the presence of a building in this location. Even if I were to consider that an addition to this elevation would be acceptable on this basis, the form and design of the proposed extension are wholly different to the building that was there historically. This is, therefore, a matter to which I afford limited weight in the overall planning balance and it does not alter or outweigh my conclusion on the main issue.
17. The appellant cites Paragraph 61 in the Framework and the requirement to have regard to the particular needs of individuals. I acknowledge that the proposed development would improve the living conditions and meet the needs of the appellant. However, Paragraph 61 relates to the Government's objective of boosting the supply of homes and the need to consider the size, type and tenure of new housing required for different groups in the community. It does not relate to the extension and alteration of existing homes which is the subject of the appeal before me. As such, this is a matter to which I afford limited weight in the overall planning balance and it does not alter or outweigh my conclusion on the main issue.

18. I am aware that the Council has accepted the principle of the building being extended and considers that a compromise solution could be achieved. On this basis the appellant asserts that the marginal differences between any scheme that may have been approved by the Council and what is being proposed need to be assessed. Notwithstanding this, I have to determine the appeal on the basis of what was applied for and what was considered by the Council in its determination of the application. I have considered the proposed development on its own planning merits and found that it would cause harm which would not be outweighed by any public benefits.
19. The appellant has highlighted the construction of a substantial new building on a site nearby. Given that it is a newly constructed development and that the site is not within the HCA, I do not consider it to be comparable to the appeal before me and therefore, does not justify the harm that I have found. Moreover, I am not aware of the detailed circumstances of this development and, in any event, I must consider the proposed development on its own planning merits with regard to the specific context of the appeal building and its location.
20. I note that no issues were raised by the Council in relation to residential amenity or highway safety. I also recognise that Haworth, Cross Roads and Stanbury Parish Council raised no objections and that The Gardens Trust and Yorkshire Gardens Trust had no comments. However, these are neutral considerations in the balance and do not outweigh the harm that I have found.
21. None of the other matters raised alter or outweigh my overall conclusion on the main issue.

Conclusion

22. The proposed development would not preserve or enhance the character or appearance of the HCA. This is a matter which must attract considerable importance and weight against the proposed development. In relation to the Framework, the proposed development would cause 'less than substantial harm' to the significance of this designated heritage asset. I must attach considerable importance and weight to that harm, which I find would not be outweighed by any public benefits.
23. For the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR