
Appeal Decision

Site visit made on 7 January 2020

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 January 2020

Appeal Ref: APP/A4710/W/19/3229486

9 West End, Hebden Bridge HX7 8JP

- 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 Thomas Jagger against the decision of Calderdale Metropolitan Borough Council.
 - The application Ref 19/00290/FUL, dated 7 March 2019, was refused by notice dated 21 May 2019.
 - The development proposed is described as "alteration to shop front".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the Hebden Bridge Conservation Area and on the setting of the nearby Grade II listed West End Bridge over the Hebden Water.

Reasons

3. The appeal property, a mid-terraced two storey stone-built building that is typical of the area, is situated near to the river in the Hebden Bridge Conservation Area (HBCA) and in a prominent roadside position overlooking the listed West End Bridge. This part of the Conservation Area is characterised by stone-built buildings and terraces arranged along the road. The appeal scheme proposes the alteration of the ground floor and first floor windows of the property.
4. I am statutorily required¹ to pay special attention to the desirability of preserving or enhancing the character or appearance of the HBCA and to have special regard to the desirability of preserving the bridge or its setting. The Framework advises that where a proposal would cause less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal². Any harm should require clear and convincing justification³ and when considering the impact of a proposed development on the significance of a designated heritage asset (DHA), great weight should be given to the asset's conservation.

¹ Section 72(1) & Section 66(1) - Planning (Listed Buildings and Conservation Areas) Act 1990

² Paragraph 196 - National Planning Policy Framework

³ Paragraph 193 - National Planning Policy Framework

5. The submitted plans show that the window apertures of nos.7 and 9 are very similar, creating an attractive symmetry when view from the street and are identifiable as relating to the original dwellings. The plans also show that the existing windows are noticeably different from the windows of the attached and adjacent nos.11 and 13. Indeed, I noted at the site visit that nos.7 and 9 appear to have been constructed as a pair and at a different angle to the street, differentiating them from the attached properties. The existing windows of the property contribute to the character and appearance of the HBCA.
6. The proposed development would result in the loss of this attractive symmetry and, while I note that the appellant has committed to the use of traditional building materials and that the altered window size would be similar to those of nos.11 and 13, I find that the works would nonetheless fail to preserve or protect the character and appearance of the HBCA and correspondingly would harm the setting of the listed West End Bridge.
7. In terms of the Framework, the development results in less than substantial harm to the setting of the listed bridge and HBCA and must therefore be weighed against any public benefit that would arise from it.
8. The appellant asserts that the existing windows limit the extent of daylight inside the property and that the proposed new windows would greatly improve the rental potential of the property. I have not been provided with any substantial evidence to show that the property is currently difficult to let or that the proposed window would make a marked difference to natural light in the property. I therefore afford these matters limited weight which thus do not outweigh the harm I have identified, which itself is of considerable importance and weight.
9. The proposed development therefore fails to accord with Policies BE1, BE15 and BE18 of the Replacement Calderdale Unitary Development Plan that seek good design and to protect Conservation Areas and Listed Buildings respectively, and the aims of the Framework to conserve and enhance the historic environment

Other Matters

10. The appellant has referred to alterations carried out to a property on Cheetham Street. However, I do not have full details of the circumstances that led to this proposal being accepted and so cannot be sure that they represent a direct parallel to the appeal proposal. In any case, I have determined the appeal on its own merits.

Conclusion

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

Mark Brooker

INSPECTOR