



Appeal Decision

Site Visit made on 10 November 2020

by Jillian Rann BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2020

Appeal Ref: APP/W4705/Y/20/3258076

5 St Marks Place, Low Moor, Bradford, W. Yorks BD12 0UQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Gardner against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 20/01052/LBC, dated 20 March 2020, was refused by notice dated 29 May 2020.
 - The works proposed are single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision was based on a revised drawing, number 1 revision A, which was submitted during the course of the application. The revised drawing included a reduction in the depth of the proposed extension. It also omitted references to the removal of part of the boundary wall between the extension and the garden of 6 St Marks Place and of the chimney stack in bedroom 3. The appellants have also subsequently confirmed that the boundary wall between the site and 6 St Marks Place would be retained and incorporated within the proposed extension. I have considered the appeal on the basis of that revised drawing and having regard to the appellants' stated intentions regarding the boundary wall.
3. The address in the banner heading is taken from the application form. The appeal property is part of a grade II listed terrace, the address of which is given on the list description as '3A St Mark's Terrace...3-6, St Mark's Terrace'. However, based on confirmation from the appellants and my own observations I am satisfied that the site address is 5 St Marks Place and that the list description¹ refers to the appeal terrace, 3A and 3-6 St Marks Place.
4. I am mindful of my statutory duties under section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) and have considered the appeal accordingly.
5. There is no statutory requirement to have regard to the provisions of the development plan for applications for listed building consent. The Council's reason for refusal refers to Policy EN3 of the Local Plan for the Bradford District: Core Strategy Development Plan Document. Amongst other things, Policy EN3 states that the alteration or extension of a listed building will only be

¹ List Entry Number: 1133731

permitted if the proposal would not have any adverse effect upon the special architectural or historic interest of the building. As such it broadly reflects the statutory duties defined in the Act.

Main Issue

6. The main issue is the effect of the proposal on the special interest of the grade II listed building known as '3A, St Mark's Terrace BD12, 3-6, St Mark's Terrace BD12²'.

Reasons

7. The appeal relates to a grade II listed residential terrace. The building dates to around 1790 and was originally constructed as a coach house with stabling for a nearby building. It was altered and converted into back-to-back tenement housing in the mid-19th century and is now a row of through-terraced cottages.
8. The building's form and function has evidently changed over the years, reflecting its change to residential use and subsequently from back-to-back to through-terraced cottages. However, it remains as a well-preserved building which has retained distinctive elements of its architectural detailing.
9. The extension is proposed to what is now the rear of the building. However, it historically served as a principal elevation to the back-to-back tenement cottages. Some windows and doors in that elevation have been replaced, mullions removed and the size of some openings has been altered. However, the ground floor entrance doors and window openings of the former back-to-back cottages have nonetheless been preserved as part of what is now the rear elevation. So too have their distinctive thick stone surrounds, which are a characteristic and consistent feature of those openings along the length of the terrace.
10. As features of the 19th century back-to-back tenement housing, those openings have interest as part of the historic evolution of the building's use and form. The pattern of those openings and the consistency of their detailing along the terrace also preserve the continuity and legibility of what was a principal elevation to the historic back-to-back cottages. As such, those openings and their detailing contribute to the historic and architectural interest of the listed building.
11. The drawings indicate that the works to create the rear extension would include the removal of a large section of the appeal property's existing rear wall at ground floor level. The works would therefore result in the ground floor rear window and door and at least parts of their stone surrounds being removed, as well as a section of the rear wall. The removal of those distinctive door and window openings and their heavy stone surrounds would significantly erode the consistency and legibility of one of the terrace's historic principal elevations and lead to a significant loss of historic fabric.
12. Furthermore, although single storey, the extension would span almost the full width of the appeal property and its roof would extend almost to the level of the first floor windowsill. It would therefore obscure a substantial amount of the cottage's rear elevation, including the location of its historic ground floor openings, and significantly disrupt the alignment of the terrace's rear elevation

² List Entry Number: 1133731

as a whole. The extension would therefore appear as a highly incongruous and unduly dominant feature, further compromising the consistency and legibility of this former principal elevation of the historic cottages.

13. The use of reclaimed local materials in the new extension and similar detailing to the surround of its single opening would not compensate for the loss of historic fabric or overcome the harm to the listed building's legibility and special interest that I have identified.
14. The appellants have suggested that the proposal would not harm the listed building as it would not be widely visible. However, views of what is now the rear of the terrace, including the location of the proposed extension, are possible from parts of the nearby churchyard of St Marks Church and from Huddersfield Road beyond. In any event, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
15. The adjoining property at 6 St Marks Place has an existing single storey rear projection. My attention has also been drawn to an extension at 2 St Marks Place opposite the site. However, I do not have full details before me of those additions or the circumstances in which they were built. Moreover, I have no indication as to whether 2 St Marks Place is listed. Therefore, I cannot be certain that they were directly comparable to the case before me. In any event, I have considered the appeal on its own merits.
16. Concerns have been raised regarding the effect of the works on the brick boundary wall between the rear garden of the appeal site and 6 St Marks Place. It has been suggested that the wall has been present for at least 100 years. However, its materials are not consistent with those of the listed stone terrace or the walls I observed to the rear boundary of the appeal site and others in the terrace, which are also built in stone. Given those differences, and as I have no substantive evidence before me as to the historic significance of the wall, I conclude that it does not add to the special interest of the listed building. Even if it did, I find the proposal unacceptable for other reasons in any event.
17. A footpath runs alongside the rear of the terrace, providing pedestrian access to the site and its neighbours from St Marks Place. Based on the evidence before me and my own observations, the footpath seems to end at the appeal site. The drawings indicate that a gap would remain between the side of the extension and the boundary with 4 St Marks Place. Therefore, I am satisfied that access to the site's rear garden from the footpath to the rear of 4 St Marks Place would remain possible. Accordingly, the works would not have adverse implications for the use or legibility of that historic pedestrian route overall.
18. However, for the reasons given I conclude that the works would not preserve the special interest of the listed building. In the context of the listed building as a whole the scale of the works is such that the harm would be less than substantial. Nevertheless, I give considerable importance and weight to that harm and to the presumption that preservation is desirable. The National Planning Policy Framework (the Framework) requires any such harm to be weighed against the public benefits of the proposal.
19. The works would provide additional living accommodation which would be of benefit to the appellants and their family. However, such benefits would be

private rather than public in nature and do not outweigh the harm I have identified.

20. Given the above, the proposal would fail to preserve the special interest of the grade II listed building known as '3A, St Mark's Terrace BD12, 3-6, St Mark's Terrace BD12'. It would thus fail to satisfy the requirements of the Act or paragraph 192 of the Framework.

Other Matters

21. The revised drawing that the Council based its decision on was not subject to publicity during the course of the application. However, as I have found the works unacceptable despite the amendments made, I consider no party would be prejudiced by my having based my decision on that revised drawing.
22. I have noted other concerns raised by interested parties, including with regard to noise and potential damage during construction. However, as I have found the works unacceptable for other reasons I have not needed to consider those matters further in this instance.

Conclusion

23. For the reasons given, I conclude that the appeal should be dismissed.

Jillian Rann
INSPECTOR