



Appeal Decision

Site visit made on 7 February 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2022

Appeal Ref: APP/W4705/D/21/3285879

Old Mill House, Dockroyd Lane, Oakworth, Keighley BD22 7RH

- 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 Mrs Louise Walls against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 21/02759/HOU, dated 23 April 2021, was refused by notice dated 13 August 2021.
 - The development proposed is single storey extension to rear.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form which differs from that on the Council's decision notice. In Part E of the appeal form it is stated that the description of development has not changed and neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the planning application form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building, with due regard to heritage assets.

Reasons

4. The appeal site consists of a substantial stone building set to the south of a row of cottages. Although the description of the development states that the extension is to the rear, based on what I have seen and read the elevation in question was intended to be the principal elevation of the property. The evidence also suggests that the building was originally two separate dwellings, and this is reflected in the appearance of the elevation.
5. The appeal proposal would consist of a large flat-roofed extension with extensive glazing of a modern design and a roof lantern. The proposal would not reflect the traditional vernacular character of the host building, and would sit uncomfortably in respect of existing windows and other openings. The extension would also straddle the front elevations of the two original dwellings,

significantly compromising the appreciation of the historic development of this site. Due to its scale and design, the proposal would lead to significant harm to the character and appearance of the host building.

6. The appeal site is located within the Oakworth Conservation Area (the CA). The CA Assessment 2005 sets out that the village originally developed as a self-sufficient agricultural community. During the course of the 18th and 19th centuries the growth of the textile trade and advent of the Industrial Revolution had a major impact on the form and character of Oakworth and by the middle of the 19th century the settlement, which had previously consisted of several agricultural hamlets, had expanded and developed into a busy mill village. The character and appearance of the CA reflects this historic development, which when combined with the vernacular architecture in the CA, contributes to its importance as a designated heritage asset.
7. The CA Assessment 2005 identifies the appeal site (named as 6 Dockroyd) as being part of a group of buildings which are good examples of the local vernacular and which physically document the changing social and economic structure of the area. The CA Assessment identifies this group of buildings, including the appeal site, as key unlisted buildings in the CA. The Council's Design and Conservation Officer and the reason for refusal also emphasise that the site is a key unlisted building. This reflects my own observations, where I saw that the appeal site makes an important contribution to the architectural and historic interest of this group of buildings, and which contributes to its significance as a key unlisted building, both individually and as part of a larger group.
8. A map¹ within the CA Appraisal 2008 does not identify the site as a key unlisted building. However, this does not lead me to a different conclusion on the status of the building based on the evidence of the CA Assessment, comments from consultees and my own observations.
9. The proposed extension would be located within a private garden where trees and hedging along the boundary provide a significant degree of screening from the public realm. However, the incongruous design and scale of the proposal would still be apparent through the hedge and above a side access gate in views from a public footpath passing the site. Whilst such views would be fleeting and may only be of part of the extension, the harm arising to the host building from the proposal would still be apparent to pedestrians passing along the path. As a result, the proposal would fail to preserve or enhance the character and appearance of the CA.
10. Moreover, the significance of the building as part of a group of key unlisted buildings in the CA derives in part from its historic development which documents the changing social and economic structure of the area, as well as the vernacular architecture. As a result of its incongruous modern design and harmful effect on the appreciation of the originally separate dwellings, the proposal would lead to considerable harm to this historic interest irrespective of whether public views of the building can be gained.
11. I acknowledge that the proposed extension would be subservient to the host building, and that it is proposed to use traditional materials. However, these matters would not be sufficient to successfully mitigate the incongruous design,

¹ Open Spaces, Trees, Views, Listed and Key Unlisted Buildings

scale and unsympathetic placement of the proposal. Whilst the original openings may be retained inside the extension, this would not overcome the harm to the appreciation of the external appearance and significance of the host building.

12. For the reasons given, I conclude that the proposal would be harmful to the character and appearance of the host building and would fail to preserve or enhance the character and appearance of the CA. Whilst the harm to the CA would be less than substantial, there are no public benefits that would outweigh that harm. The extension would also lead to considerable harm to the significance of this key unlisted building. The proposal would therefore be contrary to the design and heritage requirements of policies DS1, DS3 and EN3 of the Core Strategy 2017. The proposed extension would also be contrary to the advice of the Householder Supplementary Planning Document in respect of achieving a good standard of design.

Other Matters

13. My attention has been drawn to the personal circumstances of a member of the appellant's family, including medical evidence. The appellant emphasises that the proposal would enable this family member to enjoy the garden as well as enabling ongoing care. In considering this appeal I have had due regard to the Public Sector Equality Duty (PSED) contained in the Equality Act 2010 which sets out relevant protected characteristics, including disability. Whilst I am mindful of the needs of the family member, it has not been demonstrated that the scale and design of the proposal is specific to their needs or that they cannot be met by a more acceptable scheme. The PSED considerations do not outweigh the significant harm that I have identified, and following careful consideration of these particular matters I am satisfied that the impact of dismissing this appeal is proportionate and justified.
14. Reference has been made to a number of planning approvals within the CA. However, I have not been provided with sufficient evidence to demonstrate that they represent a direct parallel to the appeal proposal on matters including design, location and the status of the host building. In any event, I have determined this appeal on its own merits.
15. Keighley Town Council has raised no objection to the proposal and recommends approval. However, this does not lead me to a different conclusion on the harm arising from the proposal based on the evidence before me and my own observations.
16. I note the frustrations expressed by the appellant in relation to the level of communication from the Council leading up to this appeal. However, this is not a matter for this appeal which I have determined on its planning merits.

Conclusion

17. The proposal would harm the character and appearance of the host building, would fail to preserve the character and appearance of the CA, and would harm the significance of this key unlisted building. I have had regard to the matters raised by the appeal, including the personal circumstances of a member of the appellant's family. However, on balance, material considerations are not of such weight that indicate the decision should be made other than in accordance with the development plan.

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

David Cross

INSPECTOR