

Appeal Decisions

Site visit made on 4 May 2022

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 June 2022

Appeal A Ref: APP/N4205/W/21/3279697

1 Hill Top, Harvey Street, Halliwell, Bolton BL1 8BQ

- 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 Amy Cahill against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 10710/21, dated 11 March 2021, was refused by notice dated 5 May 2021.
 - The development proposed is a single-story side extension of grade two listed building.
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Appeal B Ref: APP/N4205/Y/21/3279698

1 Hill Top, Harvey Street, Halliwell, Bolton BL1 8BQ

- 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 Mrs Amy Cahill against the decision of Bolton Metropolitan Borough Council.
 - The application Ref 10711/21, dated 11 March 2021, was refused by notice dated 5 May 2021.
 - The works proposed are a single-story side extension of grade two listed building.
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Decisions

1. Appeal A - The appeal is dismissed.
2. Appeal B - The appeal is dismissed.

Main Issues

3. The main issues in both appeals are whether the proposal would preserve the special architectural and historic interest of the Grade II listed building, 1 and 2 Hill Top, and linked to that, whether it would preserve or enhance the character or appearance of the Hill Top Conservation Area.

Reasons

Special interest and significance

4. Dating from circa 1735, 1 Hill Top is a two storey semi-detached dwelling which together with No. 2 Hill Top is included within the Statutory List at Grade II. The former single cottage is of a traditional design, constructed of coursed squared red sandstone under a pitched roof covered in natural slate. Windows comprise chamfered stone mullions with a continuous drop-ended hoodmould spanning both ground floor windows and doors to the principal elevation, parts of which have recently been replaced with new stone. The building retains its modest traditional appearance as a former rural dwelling with a simple form and character.

5. Accordingly, the significance of the listed building, in terms of its special architectural and historic interest, derives from its age, character and appearance, expressing the typical 18th Century vernacular attributes of the area and reflective of its former rural location. The building's significance is also derived, in part, from its value as a group with surrounding buildings dating from the same period, which together illustrate the historical development of this part of Bolton.
6. The appeal property also falls within the Hill Top Conservation Area, which is characterised by a grouping of early 18th Century buildings that are considered to be some of the oldest properties in the area. Indeed, Hill Top was originally a group of farm buildings forming a 'fold' that comprised a farmhouse surrounded by farm buildings and cottages. It follows, therefore, that the appeal property, being an early-Georgian cottage of historic and architectural interest, makes a significant positive contribution to the character and appearance of the conservation area.

The appeal proposal

7. The appeal proposes the erection of a single storey extension to the side of the property to accommodate an open plan kitchen and separate utility room. The extension would span across almost the entire depth of the property, set back from the principal elevation. It would have a flat green roof with a large flat rooflight, its elevations would be clad in vertical timber boards and windows would be modern aluminium framed. Full height bi-folding glazed doors are proposed to the rear and full height aluminium framed windows with the lower half finished with black or obscure glazing are proposed to the front.
8. The accompanying plans show the proposed extension to measure approximately 3.5 metres in width and 8 metres in depth, with an overall height of 2.75 metres. A section of wall within the existing kitchen is proposed to be removed to gain access to the extension.

The effect of the appeal proposal

9. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require me to have special regard to the desirability of preserving the building, or its setting or any features of special architectural or historic interest it possesses. Section 72(1) of the Act also requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. I have therefore considered the appeal scheme in light of these weighty statutory duties.
10. Despite its subservient scale, the proposal would introduce a flat-roofed, box-like timber-clad structure that would be in stark contrast with the traditional pitched roof and stone-built appearance of the listed building, and that of surrounding buildings in this part of the conservation area. The large full-length window openings and the use of contemporary aluminium frames would markedly differ from the more restrained and traditional character of the mullioned windows of the listed building. These contemporary features, along with the extension's overall form and use of contrasting materials, would only serve to emphasise its discordant appearance when viewed alongside the more refined character of the listed building and its traditional palette of materials.

11. Rather than a contemporary contrast, that might complement the listed building, the extension would appear as an overly assertive and discordant addition that would harmfully detract from the simple Georgian architectural character of the building. Furthermore, the insertion of a large opening to facilitate internal access to the extension would result in a harmful loss of historic fabric. This would also significantly alter the historic plan-form of the building, creating a large open-plan area that would be at odds with the historic layout of small rooms within the cottage.
12. I accept that historic properties need to be modified where possible to accommodate modern standards of living. However, this must be done sympathetically with a view to preserving the significance of the heritage asset, in accordance with the statutory duty. For the reasoning I have set out, the proposal would result in clear harm to the listed building.
13. The extension would be visible in public views within the conservation area, particularly from adjacent land to the north and west, where it would stand out as a discordant form of development. It follows that if the special interest of a listed building within a conservation area is materially diminished, as a consequence the character and appearance of that conservation area as a whole are also similarly incrementally harmed. Therefore, as the proposal would undermine the architectural integrity of the listed building, I also find it to be harmful to the character and appearance of the Hill Top Conservation Area, by diminishing the historic and architectural qualities of a building that contributes positively to that area.
14. Bringing these points together, I find that the proposal would fail to preserve the special architectural and historic interest of the Grade II listed building, 1 and 2 Hill Top. In addition, it would neither preserve nor enhance the character or appearance of the Hill Top Conservation Area. Consequently, the proposal would not meet the requirements of the Act and would conflict with Policy CG3 of Bolton's Core Strategy Development Plan Document (adopted March 2011) which seeks to conserve and enhance the heritage significance of heritage assets.

Public benefits

15. In accordance with the National Planning Policy Framework (the Framework), it is for the decision maker, having identified harm to the designated heritage asset, to consider the magnitude of that harm. In this case, under the terms of the Framework, I consider the harm to be less than substantial given the extent of the proposal and its consequent effects.
16. Paragraph 202 of the Framework states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
17. No public benefits are advanced in favour of the proposal. From the submitted material it appears to me that the proposal amounts to only private benefit for the appellant and their family through the creation of additional living space within the property. Furthermore, there is no evidence to suggest that the optimum viable use of the property as a dwelling would cease in the event that the appeal was to fail, and the proposal not implemented.

18. The harmful effects to the heritage assets are considerations to which I attach great weight and importance, and their combined weight would not be outweighed by any demonstrable public benefits. For this reason, the proposal would be contrary to the Framework's aim to conserve heritage assets in a manner appropriate to their significance.

Conclusion

19. The appeal proposal would fail to preserve the listed building and its special interest and would not preserve or enhance the character or appearance of the Hill Top Conservation Area. It would therefore not meet the relevant statutory requirements; fail to accord with the Framework; and would conflict with the above-cited policies of the development plan. Moreover, with regard to Appeal A, no material considerations have been advanced of sufficient weight to justify a decision other than in accordance with the development plan.
20. Therefore, for the reasons given, and having regard to all other matters raised, I conclude that the appeals should not succeed.

J M Tweddle

INSPECTOR