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# Appeal Decision

Site visits made on 28 July 2022 and 17 August 2022

**by S Hunt BA (Hons) MA MRTPI**

**Inspector appointed by the Secretary of State**

**Decision date: 22 August 2022**

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**Appeal Ref: APP/W4705/D/22/3293773**  
**820 Little Horton Lane, Bradford BD5 9DG**

- 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 Shafique against the decision of City of Bradford Metropolitan District Council.
  - The application Ref 21/06287/HOU, dated 18 December 2021, was refused by notice dated 9 February 2022.
  - The development proposed is described as 'Sub-division of internal first floor bedroom to create two bedrooms. Proposed single window to new bedroom on front facade matching size and style of existing. Internal alteration of first floor hallway to reduce ceiling height and create larger landing area'.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The Council's reason for refusal refers to adverse visual impact to the terrace only. A range of internal works are also included in the description of the proposed development, and as the proposal relates to a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The Council have confirmed that they refused a separate application for listed building consent at the same time as planning permission, however there is no appeal before me in respect of the works under section 20 of the Act.

## Main Issues

4. The main issues are whether the proposal would preserve the grade II listed building at 808 to 822 Little Horton Lane (Ref. 1314468) and any of the features of special architectural or historic interest that it possesses, and the effect on the character and appearance of the area.

## Reasons

5. 820 Little Horton Lane (No. 820) is situated within one of a pair of terraces of four cottages (No's 808 to 822), which date from the early 1800's. The two storey stone cottages are simple in design and form with a two-roomed layout, constructed from sandstone under stone slate roofs. It is evident that no additional first floor openings have been inserted to the front of any of the individual dwellings within the group.

6. Despite a plethora of different window designs and colours, many in uPVC, it remains possible to appreciate the heritage values of the terrace from the surviving pairs of two light mullioned and squared surround windows. Such values are historic, aesthetic and evidential and contribute to the significance of the terrace. In turn, these relatively unaltered terraces have a positive effect on the character and appearance of the area. Overall, the special interest of the building insofar as it relates to this appeal derives not only from its use of traditional materials, but the unified appearance of the terrace which typifies workers housing of the period in this area.
7. It is proposed to insert an additional window opening to the first floor of No. 820, directly above the front door. I find that the insertion of an additional opening here would represent a discordant feature which would seriously disrupt the uniformity of the terrace of No's 808 to 822. This is notwithstanding the proposed materials and style of window (timber in a 12 light pattern akin to the existing windows in white uPVC), which the Council no longer takes issue with. The new opening would result in harm to the special interest of the listed building, and in turn negatively affect the character and appearance of the street scene.
8. On my site visit I found there to be a lack of historic or architectural features of note within the rooms within which it is proposed to carry out internal alterations. Whilst the proposed partition walls would make the principal bedroom smaller, it would remain possible to appreciate the original two-roomed layout of the building. The proposed ceiling above the stairs to create storage space would not result in the loss of any features of note, and the enlarged landing to enable access to the additional bedroom would represent a minor change which is not of significance. In respect of the internal alterations only, overall I find the effect on the special interest of the building to be neutral.
9. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets, and that any such harm should have a clear and convincing justification. Given the unsympathetic alterations already carried out to existing window openings to No. 820 and the remainder of the terrace, I find the harm to the designated heritage assets to be less than substantial in this instance. Nevertheless, such harm is a matter of considerable importance and weight.
10. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of the listed building. I understand the need for an additional bedroom for the appellant's growing family, and acknowledge that more efficient use of existing housing stock would represent a public benefit. However I find that this would be insufficient to offset the harm I have identified in terms of the proposed window.
11. The appellant has drawn my attention to a number of other properties on Little Horton Lane which have inserted an additional window above the existing door. I accept that the properties are of similar design. However, of the four properties referred to, three of them are not listed buildings, and regardless of

the lawfulness of the alterations they do not justify the harm that would arise to the listed building. The terrace in which the appeal property lies is, aside from the insertion of uPVC windows, largely unaltered and this contributes to its special architectural and historic interest.

12. Given the above and in the absence of any defined significant public benefit, I conclude that the proposal for an additional window would not preserve the special historic interest of the Grade II listed building and would result in harm to the character and appearance of the area. This would fail to satisfy the requirements of the Act and paragraph 199 of the Framework. It would also conflict with Bradford Local Plan Core Strategy Development Plan Document policy EN3 which seeks to conserve the distinctiveness of architectural styles in the District and to ensure that alterations do not have any adverse effect upon the special interest of heritage assets. Furthermore, I find conflict with policies DS1, DS5 and SC9 which require proposals to be designed to understand their wider context and create a strong sense of place.

### **Conclusion**

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

*Susan Hunt*

INSPECTOR