



Appeal Decision

Site visit made on 21 February 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 March 2023.

Appeal Ref: APP/X4725/W/22/3304825

Land to the front of 6 Bretton Lane, Bretton, Wakefield WF4 4LA

- 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 Jonathan Bootland against the decision of Wakefield Metropolitan District Council.
 - The application Ref 21/02652/FUL, dated 10 November 2021, was refused by notice dated 12 July 2022.
 - The development proposed is erection of new dwelling and integral garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the West Bretton Conservation Area (WBCA).

Reasons

3. The appeal site comprises a vacant plot of land to the front of a row of terraced stone-built cottages, accessed from a private drive off Bretton Lane. Adjacent to the site is a bungalow set within a large corner plot. On the other side of the appeal site are the garden spaces relating to the stone-built cottages and the linear gardens of the properties that front Sycamore Lane.
4. The site falls within the WBCA and I have assessed the appeal scheme against this heritage asset. There is no conservation appraisal for the area. Nonetheless, from my observations, the significance of the conservation area includes its semi-rural character with traditional stone cottages with linear gardens that have historically remained open. The relationship of buildings and open space in the conservation area contributes positively to its historical character. Properties are set back from the road and there are grass verges adjacent to the highways which creates a sense of openness. The appeal site contributes positively to the WBCA.
5. The proposed development would be of a similar height and have materials to tie in with nearby properties. It has been designed with a traditional form to reflect the historic cottages adjacent to the site. However, it would be close to these cottages, such that it would overly intensify the quantum of built form in the immediate area, altering the relationship between open space and buildings. While the proposal would achieve the relevant standards and mathematical calculations of site coverage it would have an awkward relationship with the cottages, sitting prominently in front of the building line.

As such, the juxtaposition of buildings would be disjointed, resulting in an incongruous form of development.

6. The proposed development would stand very prominently within the generally open context of Sycamore Lane. This would be especially apparent when viewed on approach from the junction of Bretton Lane and Sycamore Lane. This sense of discordant intrusion would be created by the limited relationship of the new dwelling with the strong building lines formed by the terraced cottages of Bretton Lane and Sycamore Lane and the open gardens in front.
7. Even if the appeal site itself has a sense of enclosure I did not observe it to be completely enclosed, and I saw clear views into the site from Sycamore Lane and from the access road off Bretton Lane serving the cottages. While the appeal site is not a domestic garden, the site has clear open qualities in terms of its role and function in the locality and its positive contribution to the character of the WBCA.
8. The owners of the bungalow adjacent to the appeal site have confirmed that their property was built prior to the designation of the WBCA. Nevertheless, the bungalow sits within a large corner plot and has a different relationship with the street scene. It does not sit directly in front of the cottages on Bretton Lane and is at a greater distance away from them. Similarly, the bungalow development at the other end of Sycamore Lane is also set within a corner plot, with a different relationship with the nearby cottages and their linear gardens. As such, these other examples of infill development do not adversely affect the character and appearance of the area in the way the appeal scheme would.
9. Given that the bungalows are at opposite ends of the street, at some distance from each other, they do not create a secondary building line closer to Sycamore Lane. However, were the appeal scheme to be allowed, there would be two infill properties immediately next to each other which would contribute to a secondary building line being formed. Even if the appeal scheme were to introduce high quality architecture, reflecting the historic vernacular, it would change the character of the area from one that has historically remained open, to an area with an established infill development characteristic, to the detriment of the WBCA. Moreover, a secondary building line in this location would not be in keeping with the building line formed by the historic cottages that front Sycamore Lane and would not improve the character of views.
10. I have considered the other examples of infill development in the wider area. While they may be larger in scale than the appeal scheme, the context of the other examples differs in overall appearance and relationship with the street scene. They are on different streets and in different parts of the WBCA and are not directly comparable. The other examples do not, therefore, lead me away from my above findings.
11. Views out of the site are obscured in places by existing vegetation. Nevertheless, the glimpsed views across the site towards Sycamore Lane and the cluster of buildings of local interest at Town Farm are important in reinforcing the relationship between buildings and open space in the WBCA. Standing directly opposite the site on Sycamore Lane I observed clear views into the vacant parcel of land and of the historic cottages behind. There are also views of the site and cottages at the junction of Sycamore Lane with Bretton Lane, facilitated by the absence of a boundary treatment between the bungalow and appeal site which maintains this view.

12. While views would remain either side of the proposed development, it would restrict views into and out of the site and interrupt views between the buildings of local interest and the cottages of Bretton Lane, be as they may glimpsed views. In doing so the appeal scheme would erode the relationship between the buildings and open space, permanently altering the character of the WBCA.
13. Even if hedging was planted on the frontage with Sycamore Lane to screen the development and so preventing any views in or out, this does not mean that an otherwise unacceptable development should be permitted. While mature boundary treatments and trees contribute positively to the character of the WBCA and would be retained through the proposal, this is not the only characteristic of the conservation area that should be taken into account. It is indicated that the proposal would offer visual improvements to the current overgrown nature of the site, however this would be to the detriment of the positive contribution the site makes to the spacious character of the WBCA.
14. Consequently, the proposal would fail to preserve or enhance the character and appearance of the WBCA. The harm that I have identified is 'less than substantial' harm. The National Planning Policy Framework (the Framework) requires that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Any harm to the significance of a designated heritage asset should also require a clear and convincing justification.
15. The proposal would provide for a family sized dwelling, within the village boundary where there is limited scope for future development and a high demand for properties. This weighs moderately in favour of the proposal. However, in having special regard to the desirability of preserving and enhancing the character and appearance of the WBCA, overall, there are no public benefits sufficient to weigh against the permanent harm that would arise to the significance of the heritage asset.
16. For the reasons given, the proposal would harm the character and appearance of the WBCA, in conflict with Policy CS10 of the Local Development Framework Core Strategy (2009) and policies D9, D18 and D19 of the Local Development Framework Development Policies (2009). These policies, amongst other things, require new development to complement the local distinctiveness of an area and to protect and enhance the districts historic assets, particularly conservation areas. They also set out that new development should not have an adverse impact on open spaces and views that contribute to an historic location's character and appearance and should not have an adverse impact on buildings of local interest.
17. The proposal is also contrary to the heritage protection policies of the Framework at Section 16, and the provisions at Section 12 in relation to achieving well designed places.

Other Matters

18. It is not in dispute that the proposal would be acceptable in relation to living conditions, highway safety, land contamination, flood risk and drainage, and trees and ecology matters. The lack of harm on these matters would be a neutral factor.

19. While the appellant has expressed frustrations with the Council's handling of the case, this has not affected my consideration of the planning merits of the scheme.

Conclusion

20. For the reasons given above the proposal would conflict with the development plan, read as a whole, and there are no material considerations that outweigh that conflict. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR