



Appeal Decision

Site visit made on 5 September 2023

by A Caines BSc (Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 September 2023

Appeal Ref: APP/W4705/D/23/3323301

2 Hopps Barn, Back Lane, Burley In Wharfedale, Bradford LS29 7ED

- 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 Neil Hudson against the decision of City of Bradford Metropolitan District Council.
 - The application Ref 23/00150/HOU, dated 16 January 2023, was refused by notice dated 5 April 2023.
 - The development proposed is described as change of external materials to dwarf stone wall below feather edge English Larch Cladding.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Planning permission has been granted for the erection of a detached summer house at the appeal property (LPA ref: 18/02606/HOU). The appeal proposal includes several amendments to the approved scheme including using horizontal timber cladding for the walls above plinth height in place of natural stone. The building has already been constructed in accordance with the proposed amendments. I am therefore considering the appeal retrospectively.
3. It is clear that the point of contention between the parties relates solely to the use of timber cladding for the walls. I have no reason to disagree with the conclusions reached by the Council in respect of the undisputed elements of the scheme. My considerations in this appeal shall therefore be confined to the effects of the timber cladding.

Main Issue

4. The main issue in this appeal is whether the character or appearance of the Burley in Wharfedale Conservation Area (the CA) would be preserved or enhanced.

Reasons

5. The appeal site lies within the historic core of the CA. From all that I have seen and read, I consider that the special interest and significance of the CA as a designated heritage asset is derived largely from the architectural interest and aesthetic appeal of its stone and slate vernacular buildings, and the relationships of these to each other and the relatively large green spaces of the settlement. As a whole, the CA possesses a distinctive townscape and a strong sense of place.

6. As part of a vernacular 19th century stone and slate building, the appeal property contributes positively to the significance of the CA. It sits between Main Street and Back Lane, with the village green on both sides. Main Street forms the major thoroughfare through the centre of the village and is lined by attractive stone buildings. Immediately to the south is another distinctive stone terrace. There is modern housing development further to the west of the village green on Norwood Avenue, but it is excluded from the CA.
7. Policy DS1 of the Bradford Core Strategy 2017 (the CS) seeks to ensure, among other things, that new development is of a high standard of design that puts the quality of the place first; is informed by a good understanding of the site's context; and takes the opportunities to improve places. Policy DS3 builds on this by expecting developments to be appropriate to their context, including in terms of materials. Policy EN3 expects new development to preserve, protect and enhance the historic value and significance of heritage assets.
8. During my site visit, I saw that the appeal outbuilding is highly visible from Back Lane, and despite a number of trees on the village green, can also be seen in some glimpsed views from Main Street and the village green itself, particularly from the east. Its visibility is likely to be even greater when the trees are without leaf. The appellant suggests that the timber cladding responds well to the 'wooded feel' of the village green. However, I attach more importance to how the development integrates with the distinctive identity of the surrounding built form of which it is a part. In a context which is so strongly unified by stone buildings, the timber cladding material stands out as a highly conspicuous and visually jarring feature. The impact is heightened by the bright colour of the cladding. However, even if the cladding weathers to a more muted tone over time, it would still appear as an incongruous building material in its context, and would not contribute positively to local distinctiveness.
9. It has been put to me that the use of timber cladding is historically appropriate. However, while the CA Assessment (2004) recognises that the earliest structures would likely have been timber framed with thatch roofs, it goes on to explain that very little of this physical fabric has survived and that vernacular structures in the village are mostly constructed of local stone and have stone slate roofs, with the conservation area boundary drawn where other materials have taken over. The importance of stone building materials is emphasised throughout the document, including in the Summary Table of special interest.
10. My attention has been drawn to the timber pavilion at the bowls club on Grange Road. I accept that it is prominent from the street. However, this building lies some distance from the appeal site and in a street context where there is a more diverse range of building age, style, and materials. Moreover, from the evidence before me, it would appear that it was a replacement for a timber building already at the site. As such, the circumstances are not directly comparable to the appeal scheme. Its presence does not set any precedence for development at the appeal site.
11. Given the above, I find that the timber cladding material used on the appeal building has an adverse visual effect on the site and its surroundings, and consequently has failed to preserve or enhance the character or appearance of the CA as a whole. Whilst the harm to the CA can be classed as less than

substantial, this is nevertheless a matter of considerable importance and weight. The reasons given for the change in material are noted. Nevertheless, due to the nature and scale of the development, there are no wider public benefits which outweigh the harm to the significance of the CA.

12. Thus, the proposal fails to satisfy the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990; and parts 12 and 16 of the National Planning Policy Framework (the Framework) with regards to achieving good design, and conserving and enhancing the historic environment. It also conflicts with the design and heritage requirements of Policies DS1, DS3 and EN3 of the CS. As a result, the proposal is not in accordance with the development plan.

Other Matters

13. The appellant has advanced a potential 'fallback' alternative of a flat roofed timber building using permitted development (PD) rights. However, notwithstanding the drawings provided, I have no firm evidence that such a structure could be constructed at the site without planning permission. Furthermore, the appeal building already exists and so it seems unlikely that it would be replaced with the structure put forward. As such, there is little to suggest that this suggested fallback position is any more than hypothetical. I therefore give little weight to this matter.

Conclusion

14. The proposal conflicts with statutory requirements and the relevant policies of the development plan. There are no material considerations which indicate that a decision should be taken otherwise. Therefore, for the reasons given, the appeal should be dismissed.

A Caines

INSPECTOR