

Appeal Decisions

Site visit made on 10 September 2024

by Ian Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State

Decision date: 12th November 2024

Appeal A Ref: APP/Z4718/W/24/3344437

7 Owl Mews, Lascelles Hall, Huddersfield, HD5 0BD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs C Crabtree against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2023/62/93553/W.
 - The development proposed is the erection of a single storey side extension and porch gallows.
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Appeal B Ref: APP/Z4718/Y/24/3344440

7 Owl Mews, Lascelles Hall, Huddersfield, HD5 0BD

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mrs C Crabtree against the decision of Kirklees Metropolitan Council.
 - The application Ref is 2023/65/93554/W.
 - The work proposed is the erection of a single storey side extension and porch gallows.
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Decisions – Appeals A & B

1. The appeals are dismissed.

Preliminary Matters

2. As both appeals relate to the same proposal under different but complementary legislation, I have dealt with both appeals together in my reasoning.
3. The conversion some time ago of the listed building to three houses involved the principal elevation of the building becoming the rear elevation of the dwellings. For the purposes though of these appeals, I have referred to the elevations as they relate to the original use of the listed building.

Main Issue

4. The main issue in both appeals is whether the proposal would preserve the Grade II listed building, 'Stable Block and Barn 100 yards east of Lascelles

Hall', or any features of special architectural or historic interest which it possesses.

Reasons

5. 7 Owl Mews straddles the Green Belt boundary with the existing side extension, and the site of the proposed side extension, located within the Green Belt and the rest of the dwelling located outside of it. New buildings within the Green Belt are regarded as inappropriate development. Exceptions though to this include the extension of a building where it would not result in disproportionate additions over and above the size of the original dwelling. It is common ground that this exception applies in this case and I agree with this assessment. The proposed development would therefore comply with policy LP57 of the Kirklees Local Plan ('Local Plan') which protects the Green Belt.

Special interest and significance

6. The National Planning Policy Framework ('the Framework') identifies at paragraph 195 that heritage assets are an irreplaceable resource. Paragraph 205 of the Framework advises that when considering the impact of a proposal on the significance of a designated heritage asset, such as a listed building, great weight should be given to the asset's conservation.
7. In considering whether to grant listed building consent for any works, the statutory requirement is that special regard is had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
8. The 'Stable Block and Barn 100 yards east of Lascelles Hall' (List Entry No: 1313322) is a two storey, detached building dating from the late seventeenth century. The building is set back from Lascelles Hall which is located on the edge of Huddersfield with open countryside to the east. Constructed from finely coursed sandstone with quoined corners and a stone slate roof it has a U shaped plan. A large arched carriage entrance within the centre of the U is framed by two symmetrical projecting gables. Both gables have a matching ocular window at their apex and two matching round arched windows beneath.
9. Following the apparent grant of planning permission some time ago, the building was converted into three dwellings. As part of this development the front elevation containing the carriage entrance and gables became the rear elevation of the new dwellings, and the plain rear elevation of the building became the front elevation of the new homes. The works for which consent was granted included the installation of additional windows.
10. On the basis of what I have read and seen, as far as is relevant to the proposed works and development, the special interest and significance of the listed building is due to the symmetrical appearance of its front elevation and its restrained eighteenth century architectural style. It also has historical interest as the impressive size and design of the building reflects the status that horses had as the principal form of transport at the time that the building was commissioned and constructed. The absence of extensions to the flanks and rear of the building, other than for the modest example

attached to the appeal property, maintains the simple form of the building and in allowing its architecture to be better understood helps to preserve its significance as a heritage asset.

Appeal proposal and effects

11. 7 Owl Mews is located at the eastern end of the row of properties. Its existing side extension is a small, single storey, enclosed entrance porch located on the side of the building. Owing to its modest width, large set back from the front of the building and hipped roof, it is hardly noticeable in important views from the north of the principal elevation of the listed building that contains the carriage entrance and gables.
12. The proposed side extension would sit between the enclosed porch and the principal elevation of the listed building and would be wider in width than the existing extension. Although the elevations of the extension would largely be glazed, its thick oak frame and slate roof covering would give the building sufficient solidity and mass to visually compete with the listed building. As a result, in views of the front of the building it would be significantly more prominent than the existing extension and would unbalance the symmetry of the building, which is one of its defining characteristics. In addition, its size, more complex form and extensive glazing would result in an overly domestic appearance that would be alien to the solid, muscular character and look of the host building. For these reasons, harm would be caused to the architectural integrity and historical interest of the building.
13. Views of the proposed side extension would be limited outside of the garden serving No 7. However, an assessment of the impact of a development on a listed building is not solely dependent upon its visibility in public views and from shared driveways. Its effect on the integrity of a listed building, which may only be visible in private views, is also relevant.
14. In terms of disturbance to the building, the proposed development and works would only involve removal of a window and stonework that forms part of the existing side extension. The rest of the proposed structure would abut the flank wall of the listed building and the existing windows within the flank that would be enclosed by the extension would remain in place. The historic stonework of the building would therefore remain untouched.
15. The proposed porch gallows, consisting simply of an unsupported dual pitched roof over the entrance door within the rear elevation would be very small in scale, with minimal mass and would not detract from the important principal elevation of the building or its legibility. These positive findings regarding the proposal though do not overcome the cogent planning objections I have identified to the side extension.

Public benefits and balance

16. The harm that would be caused to the significance of the listed building would be less than substantial. Paragraph 206 of the Framework requires clear and convincing justification for any harm to the significance of a designated heritage asset. Paragraph 208 advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.

17. In accordance with the statutory duty, I attach considerable importance and weight to the harm that would be caused by the proposal to this listed building. The proposed side extension would create extra living space that would benefit from far more natural light than the rooms of the existing house and would provide far better views of the garden. However, as no substantive evidence has been submitted that demonstrates the existing internal space of the dwelling and levels of natural light within it are substandard, the improvements in this regard, and the resulting improvement to the housing stock of Kirklees, are public benefits of the scheme to which I attach little weight. In relation to views of the garden, although the improvement would enhance the enjoyment of the dwelling by its occupiers, this would be a private rather than a public benefit.
18. Taking all these matters into account, my overall conclusion is that the public benefits of the proposals do not outweigh the considerable importance and weight that I attach to the harm that would occur.
19. Accordingly, the proposal would not preserve the Grade II listed building, 'Stable Block and Barn 100 yards east of Lascelles Hall', or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of sections 16(2) and 66(1) of the Act. Conflict would also occur with policies LP24 and LP35 of the Local Plan and the provisions within the Framework which seek to conserve and enhance the historic environment.

Conclusion

20. I have found that the proposal has failed the statutory tests in relation to listed buildings. Although it would comply with policy LP57 of the Local Plan, owing to the heritage harm it would be in conflict with the development plan and the Framework considered as a whole. There are no considerations which outweigh this finding. Therefore, for the reasons given above, I conclude that the appeals should be dismissed.

Ian Radcliffe

Inspector