



Appeal Decision

Site visit made on 14 April 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st May 2025

Appeal Ref: APP/X4725/W/25/3360260

Red Gables, Boyne Hill, Chapelthorpe, Wakefield WF4 3JH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Ms Helen Sanderson against the decision of Wakefield Metropolitan District Council.
 - The application Ref 24/00272/FUL was approved on 9 August 2024 and planning permission was granted subject to conditions.
 - The development permitted is conversion and extension of outbuilding to an individual dwelling and external alterations.
 - The condition in dispute is No 2 which states that: Within six months from the date of this decision, the proposed development shall be fully carried out in accordance with the details shown on the 'Plans and Elevations' drawing (reference 20 Rev D, dated and received 8th August 2024). The southeast facing ground floor openings shall be white timber frames which in all respects match the design and finish of the existing windows of the host building and Red Gables. The infill section below the ground floor windows shall be filled in with vertical oak cladding which has a white colour finish. The development shall thereafter be retained.
 - The reason given for the condition is: In the interests of protecting visual amenity and the character and setting of the Chapelthorpe Conservation Area and Building of Local Interest in accordance with the National Planning Policy Framework and Policies LP56, LP63, LP64 and LP65 of the Local Plan 2036.
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Decision

1. The appeal is allowed and the planning permission Ref 24/00272/FUL for the conversion and extension of outbuilding to an individual dwelling and external alterations at Red Gables, Boyne Hill, Chapelthorpe, Wakefield WF4 3JH granted on 9 August 2024 by Wakefield Metropolitan District Council, is varied by deleting condition No 2.

Background and Main Issue

2. Retrospective planning permission was granted for the conversion of an outbuilding to a residential dwelling, in addition to extensions and external alterations. The appeal before me seeks to remove condition 2. I have no reason to disagree with the conclusions reached by the Council in respect of all other issues relating to the determination of the planning application.
3. Therefore, the main issue is the effect that removing condition 2 would have on the character and appearance of the area, having regard to the building of local interest, and the extent to which it would preserve or enhance the character or appearance of the Chapelthorpe Conservation Area (CA).

Reasons

4. As the proposal relates to a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Based on the information presented, this part of the CA is characterised by primarily attractive residential properties built in local stone, Camphill (which is a specialist college for young people) and the open field opposite the appeal site. Stone boundary walls and trees are also a common feature within the CA.
5. The converted outbuilding (referred to as The Stable) is adjacent to a building of local interest, Red Gables. This is an attractive, extended dwelling which has primarily white, traditional windows. There is also a conservatory which by its nature contains extensive glazing. The Stable forms part of the courtyard shared with Red Gables.
6. The existing ground-floor openings are full length and white. The appellant has provided evidence to demonstrate that the building prior to the conversion had a full-sized opening door. The condition and proposed drawing show windows in the same position as the existing openings and also white coloured but requires the infill section below the ground floor windows to be filled in with vertical oak cladding, and the design and finish to match the existing windows. The Stable's other windows vary in size and design with small, traditional windows and more modern, larger windows.
7. The Stable adjoins a building associated with Camphill. This building has red windows which vary in size and design (including a full length window to the first-floor), which are visible from Boyne Hill. Brown and anthracite coloured windows are evident in the local area, but white is the predominant window colour. The proportions and style of windows vary within the local area. I observed on my site visit examples of full length openings whereas half-cladded windows were not a feature in the locality.
8. The colour and design of the openings are not out of keeping with the CA, or local area, given the variety of window types in the area. Furthermore, the openings in question are not visible from public vantage points as they face into the courtyard. The openings are though visible from the courtyard area shared with Red Gables. However, when viewed from the courtyard area, they are seen alongside Red Gable's conservatory which contains full length glass openings. Thus, the existing openings do not have a harmful effect on the character of the courtyard.
9. For the reasons given above, condition 2 is not necessary or reasonable. Removing condition 2 would not cause harm to the character and appearance of the area, would preserve the character and appearance of the CA, and would have a neutral effect on the building of local interest.
10. Consequently, removing the condition would satisfy the requirements of the Act and there would be no conflict with Policies LP56, LP63, LP64, and LP65 of the Council's Local Development Framework: Development Policies (2009). These policies seek, amongst other matters, to ensure proposals respect the character of the locality, and conserve or enhance the significance of a designated heritage asset, and protect the significance of non-designated heritage assets. In addition, it would accord with the Framework which seeks to ensure developments are sympathetic to local character and conserve the historic environment.

Other Matters

11. Two Grade II listed buildings are located nearby (Boyne Hill Farmhouse and The Old Cottage). I have therefore had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
12. Boyne Hill Farmhouse is a two-storey dwelling constructed of red brick and stone with stone slate roofing and a mix of window types including white coloured sash and mullioned windows which have a traditional appearance but vary in proportions. The Old Cottage is a two-storey dwelling constructed of stone with stone slate roofing and white coloured mullioned windows.
13. The proposal would not unduly interrupt views of the listed buildings, nor would it have any notable impact on how the heritage assets are experienced. This is due to the siting of The Stable's and location of the openings, and the distance between the appeal site and the listed buildings (including intervening development). Furthermore, I have found that the openings are in keeping with the area. As such, I am satisfied that removing the condition would satisfy the requirements of the Act as it would have a neutral effect on the heritage assets and would preserve the special interest of the listed buildings.
14. The appellant highlights that their son has additional needs. Since I have decided to allow the appeal, there would be no interference with their rights or interests.

Conclusion

15. For the reasons given above the appeal should be allowed, and the original permission is varied by removing condition 2.

L Wilson

INSPECTOR