



Appeal Decision

Site visit made on 29 July 2025

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 20 August 2025

Appeal Ref: APP/W4705/D/25/3358923

Bolton Old Hall, Cheltenham Road, Bradford BD2 1QQ

- 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 Mr Sergejves against the decision of City of Bradford Metropolitan District Council.
 - The application Ref is 24/02879/HOU.
 - The development proposed is construction of single storey detached garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal relates to development affecting listed buildings. As required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the buildings and their setting.
3. Notwithstanding what is shown on the plans, when I visited the site, an opening had been created in one of the boundary walls. Furthermore, topsoil had been removed and hardcore laid on part of the site, including where the garage and gravel tracks are proposed.
4. Policy BH4A of the Bradford Replacement Unitary Development Plan (RUDP) has been cited by the appellant. The Council has confirmed that this has been superseded by Policy EN3 of the Bradford Local Plan Core Strategy, 2017, (CS).

Main Issue

5. The main issue is whether the proposal would preserve the setting of the Grade II* listed buildings.

Reasons

6. The proposed development is within the grounds of Bolton Old Hall (the Hall) which is attached to Bolton Old Hall Cottage (the Cottage). Both buildings are Grade II* listed (list entry numbers 1314357 and 1115592). The Hall is a timber framed hall house, which based on a datestone above the doorway, was encased and rebuilt in gritstone in 1627. It was subject to later alterations in the 18th and 19th centuries. The adjoining Cottage formed the east wing of the Hall and is similarly constructed.

7. The Hall and Cottage are set back from Cheltenham Road and reached by a short access track. The dense vegetation next to the track, and the undeveloped ground to the side and rear of the Cottage, separate these dwellings from the housing estate that has been built close to the site. This visual buffer provides a sense, even if the house was originally part of a smaller settlement, of the isolated location of this house in previous centuries.
8. Additionally, the extensive grounds to the side of the Hall, surrounded by stone walls, and largely covered in grass and mature trees, create a peaceful and open space, which contrasts with the formal arrangement of the surrounding housing. This setting contributes strongly to the significance of the buildings by reflecting the status of the Hall as an estate residence of some standing. The mellow tone of the stonework, the tall gable elevation with oval window, and stone mullion windows, result in a noteworthy building within the locality. This prominence is increased by the differences in heights and forms of the stone slate roof, and the distinctive stone chimneys.
9. From the evidence before me, and what I saw on site, the special interest and significance of the Hall derives from its historic and evidential value as a surviving timber framed building dating from the early 17th century. This heritage value is supported by the fact that the building and its surviving features are still experienced within a relatively open and rural setting.
10. The proposed garage would be located some distance from the Hall in the corner of the site. It would be constructed of traditional materials, including an oak frame to the front, a slate roof and timber doors and cladding. During the summer, when I visited, the adjoining trees were in leaf. Therefore, the garage would not be highly visible from the Hall.
11. The gravel track would extend from the main gates to the garage and is intended to blend in with the surroundings. However, it would result in the movement and parking of vehicles in an area of the garden which has been free of such intrusions. Additionally, siting the garage in this location would result in a building in an area of the site that was previously undeveloped. Despite the proposed materials, it would neither blend in with the modern housing close to it, or the stone-built Hall. Moreover, when the trees are bare, it would appear as a conspicuous structure, isolated within the site, rather than being part of a traditional group of buildings.
12. Although the garage has been reduced in height from a previous proposal, it would have a large footprint. Moreover, it would be within an area of the site which is now very open. Whilst the garage would be located some distance from the boundary wall, it would be visible from the rear of properties that adjoin it on Cheltenham Road and from the access track that leads to the Hall and Cottage. However, the main concern would be the intrusion of this structure into the setting of the Hall. This would erode the spaciousness that has been identified as contributing to heritage significance and special interest of this designated heritage asset.
13. Paragraph 212 of the National Planning Policy Framework, 2024, (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within

its setting and that any such harm should have a clear and convincing justification. Given the above, I find the harm to be less than substantial in this instance, which within this category, would be moderate in extent. Nevertheless, this harm is of considerable importance and weight.

14. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal. Whilst it is understandable that the appellant would wish to store vehicles, cycles and provide storage of garden equipment, there is limited substantive evidence as to the need for a building of this size. Although there would be wider economic benefits from the construction of the garage, it is essentially a private benefit which would not be sufficient to outweigh the harm that I have identified.
15. Therefore, I conclude that, on balance, the proposal would not preserve the setting of the Grade II* listed Hall. It would fail to satisfy the requirements of the Act, paragraph 212 of the Framework and conflict with policies DS1, DS3, DS5 and EN3 of the CS that seeks, amongst other things, to ensure that good design contributes to the character of the area and does not have an adverse effect on the special interest of a listed building and its setting. As a result, the proposal would not be in accordance with the development plan.
16. Whilst the Cottage is attached to the Hall, a stone boundary wall with railings separates the properties at the front. This, as well as the wooden fencing around the other sides of the Cottage, visibly demarcates the Cottage with its more constricted garden, from the expansive grounds of the Hall with its prominent trees. Therefore, based on the physical and visual separation between the Cottage and the proposed development, the setting of the Cottage would be sustained and not harmed by this proposal. Consequently, the special historic interest of the building would be preserved, and it would satisfy the requirements of the Act. Additionally, it would accord with policies DS1, DS3, DS5 and EN3 of the CS as set out above.

Other Matters

17. Bolton Wood Quarry is adjacent to the site. However, I could not see or hear it, and despite any long-term plans for the development of the quarry, this does not affect my assessment of the proposal and the effect on the significance of the listed buildings.
18. The appellant refers to discussions with the Council and their subsequent decision making. However, whilst I understand these concerns, they are matters between the main parties and do not affect my determination of the appeal which is based on the planning merits of the case.

Conclusion

19. For the above reasons and having regard to all other matters raised, I conclude that the appeal should be dismissed.

M J Francis

INSPECTOR