



Appeal Decision

Site visit made on 23 September 2025

by **Elizabeth Pleasant BSc (Hons), DipTP, MRTPI**

an Inspector appointed by the Secretary of State

Decision date 31 October 2025

Appeal Ref: APP/W4705/F/25/3362503

Land at 4 Back Shaw Farm, Back Shaw Lane, Bradford, BD21 5QU

- The appeal is made under section 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr Kyle Berry against a listed building enforcement notice issued by the City of Bradford Metropolitan District Council.
- The listed building enforcement notice was issued on 6 February 2025.
- The contravention of listed building control alleged in the notice is: Without Listed Building Consent, the unauthorised construction of breeze-block steps and unauthorised installation of patio doors to the rear of the dwelling as shown in the attached Figure 1 and 2.
- The requirements of the notice are:
 - Step 1. Remove the unauthorised patio doors installed to the rear of the dwelling as outlined in red on the attached Figure 2.
 - Step 2. Remove the unauthorised breeze-block steps attached to the Listed Building, as outlined in red on the attached Figure 2.
 - Step 3. Reinstate the previously existing wall with reclaimed stone to match exactly the existing stone profile, using coursing to match the adjacent wall and install a window opening the same dimension to that of the remaining ground floor window to the right with matching stone head and sill. The pointing shall be slightly recessed into the joints and done in lime mortar of a coarse texture to match that of the attached photograph labelled Figure 3.
 - Step 4. Install a painted timber window to exactly match the design of that of the remaining ground floor window to the right as shown on attached photograph labelled Figure 3.
- The period for compliance with the requirements is 4 Calendar Months.
- The appeal is made on the grounds set out in section 39(1) (c) and (e) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

Decision

1. The appeal is dismissed, and the listed building enforcement notice is upheld. Listed building consent is refused for the retention of the works carried out in contravention of section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

Appeal on ground (c)

2. To be successful on this ground it must be successfully argued that the works carried out (construction of breeze-block steps and installation of patio doors) do not constitute a contravention of section 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended (the Act). Section 7 of the Act states that *'Subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest unless the works are authorised.'* Section 8 states that *'Works for the alteration or extension of a listed building are authorised if- (a) written consent for their execution has been granted by the local*

planning authority or the Secretary of State; and they are executed in accordance with the terms of the consent, and any condition attached to it.'

3. The appeal property forms part of a historic barn, now converted to a dwelling. The barn, dating from 1840 was listed along with the adjoining Farmhouse and cottage in 1986. It is constructed from traditional materials, including coursed stone, stone slate roof and timber joinery. Based on the evidence before me, including the list description and observations on my site visit, the significance of the listed building as a heritage asset is mainly attributable to its historic use and architectural details, including use of traditional materials and its simple vernacular form.
4. There does not appear to be any dispute that the works the subject of the Notice were carried out without listed building consent (LBC). The question is therefore whether the works have affected the character of the listed building as one of special architectural and historic interest. This is irrespective of whether the works are considered to be harmful to the building.
5. The new opening, with doors and steps has altered the appearance of the building's rear façade, by creating a large opening and incorporating joinery which is overtly domestic in its appearance and its design. The works appear discordant having regard to the character of the building which retains its simple traditional vernacular form and detailing. Having seen the opening, doors and steps in situ, there is no doubt that the work has affected the character of the building as a building of special architectural and historic interest. There is no LBC in place for these works, and it follows therefore, that a contravention of the Act has occurred. The appeal on ground (c) fails.

The appeal on ground (e)

6. The appeal on ground (e) is that LBC ought to be granted for the works the subject of the notice.

Main Issue

7. The main issue is whether the works preserve the special architectural and historic interest of the listed building.

Reasons

8. Sections 16(2) and 66(1) of the Act require special regard to be had to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses.
9. The appeal property was formerly a barn associated with the attached farmhouse. From observations on my site visit, and historic photographs¹, the conversion to residential use was designed and carried out in a manner sympathetic to its original vernacular architecture, in particular utilising traditional materials and with openings that respected the building's historic use, including the pattern, simple form and design of its fenestration.
10. The patio doors which have been installed, albeit constructed in timber, have a domestic appearance. The width of the opening and design of the doors do not

¹ Appendix 1 and 2 of Local Planning Authority's Statement of Case.

respect the building's historic use and character. Details, including the leaded lights and trickle vents, reinforce that domestic appearance. In addition, the absence of any reveal between the door frames and stonework is not a traditional detail and the use of concrete for the lintel is at odds with the traditional stone lintols and sills otherwise used throughout the building. The existing building had retained its simple robust agricultural appearance, incorporating only a few small openings representative in shape and form to its historic use and origin. I recognise that the adjoining dwelling has a large opening within its rear elevation. However, that opening was an original feature of the barn, a cart entrance which has been reused. For the reasons given, the new opening, doors and steps have a harmful effect on the overall simple design characteristics and special interest of the building.

11. The overall impact of the works is, in the context of the significance of the heritage asset and the language of the National Planning Policy Framework (NPPF), less than substantial, and at the bottom of that scale. In those circumstances, paragraph 215 of the NPPF says that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
12. From the evidence before me the property has been in a residential use for a number of years. The Council has supported this use and granted planning permission for that use, including granting listed building consent for alterations to the property to ensure that use can be maintained. There are no public benefits that weigh in favour of the unauthorised works the subject of this appeal.
13. Even though I have found that the harm to the designated heritage asset is less than substantial, it is not to be treated as a less than substantial objection. There are no public benefits that would outweigh the considerable importance and weight to be given to the harm to the heritage asset. As such, the works do not comply with paragraph 215 of the NPPF. The appeal on ground (e) fails and listed building consent is refused.

Overall Conclusion

14. For the reasons set out above, and taking into account all other matters raised, I conclude that the appeal should not succeed. I shall uphold the listed building enforcement notice.

Elizabeth Pleasant

INSPECTOR