
Appeal Decision

Site visit made on 14 November 2017

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8th December 2017.

Appeal Ref: APP/C4235/W/17/3179832

Woodford Grange, Wilmslow Road, Woodford, Stockport SK7 1RH

- 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 Mr & Mrs C Hughes against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/064970, dated 2 March 2017, was refused by notice dated 12 May 2017.
 - The development proposed is conversion and extension of detached former coach house to a separate dwelling including new vehicular access.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and the development plan, including the effect on the openness of the Green Belt and the purposes of including land within it;
 - Whether the development proposed would be consistent with the objectives of policies relating to the location and supply of housing, with particular regard to accessibility of local services and facilities, and;
 - If the proposal is inappropriate development in the Green Belt, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the proposal is inappropriate development in the Green Belt

3. The appeal site lies within the Green Belt on the southern side of Wilmslow Road (A5102) and consists of a large two storey dwelling and a detached former coach house within an enclosed residential curtilage. The site is surrounded by open fields to the east and south, with a dwelling close by to the west and other detached dwellings on the opposite side of the road. The proposal consists of the conversion and extension of the detached outbuilding which would facilitate its use as an independent dwelling. Its residential curtilage would be created by a 1.5m high close boarded timber panel fence

- which would subdivide the forecourt and part of the existing garden of Woodford Grange. A new access would be formed onto Wilmslow Road.
4. Saved Policy GBA1.1 of the Stockport Unitary Development Plan Review (UDP), adopted May 2006, sets out the extent of the Green Belt which includes the Woodford area where the site is located. Saved Policy GBA1.2 of the UDP seeks to control development in Green Belt and includes a presumption against the construction of new buildings, unless it is for one of four listed purposes, including the limited extension, alteration or replacement of existing dwellings in accordance with Saved Policy GBA1.5. The policy also permits some types of development other than new buildings, including proposals for re-use of buildings assessed against the provisions of Saved Policy GBA1.6.
 5. Saved Policies GBA1.2, GBA1.5 and GBA1.6 of the UDP were based upon national policy at the time within PPG2 which regarded only limited extensions and alterations to existing dwellings as potentially not inappropriate in Green Belt. The existing detached outbuilding is currently used for purposes incidental to the enjoyment of the dwellinghouse. However, the proposed extension would form part of its conversion to an independent dwelling. As such, the proposal could not be reasonably considered to constitute a limited extension to the existing dwelling for the purposes of Saved Policies GBA1.2 or GBA1.5, as the extended building would no longer be a normal domestic adjunct to Woodford Grange and, therefore, the particular circumstances of case law drawn to my attention do not apply¹. The proposal would meet some of the criteria of Saved Policy GBA1.6 in terms of re-use of an existing building of permanent and substantial construction. However, there is no provision in that policy or Saved Policies GBA1.2 and GBA1.5 for extensions to buildings other than existing dwellings. Consequently, the proposal would not meet the relevant criteria for development in Saved Policies GBA1.2, GBA1.5 and GBA1.6 of the UDP and, therefore, would conflict with those policies.
 6. The Framework replaced PPG2 and post-dates the adoption of the UDP. It also regards the construction of new buildings as inappropriate in Green Belt, subject to listed exceptions. However, the listed exceptions in paragraph 89 at bullet point 3 includes *'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'*. The Framework, therefore, expanded the provision for extensions and alterations in Green Belt to a wider definition of a building, rather than solely an existing dwelling. It is, therefore, reasonable that an assessment of an extension to a detached building should be undertaken independently if it is no longer to be a normal domestic adjunct, as proposed. Consequently, although the proposal would not accord with the limitations of Saved Policies GBA1.2, GBA1.5 and GBA1.6 of the UDP relating to extensions to dwellings, the weight that can be attributed to conflict with those policies is limited as they are no longer up-to-date or consistent with the Framework.
 7. The Framework in Annex 2 defines the term 'original building' as a building as it existed on 1 July 1948, or if, constructed after 1 July 1948, as it was built originally. There is no substantive evidence before me as to when the detached coach house was built, whether it has been previously extended or when such an extension may have occurred. In such circumstances, for the purposes of assessment of the proposed extension I consider the detached

¹ Sevenoaks District Council v Secretary of State for Environment and Dawe [1997] EWHC Admin 1012

coach house as existing to constitute the 'original building' for the purpose of assessment relative to bullet point 3 of paragraph 89 of the Framework.

8. The Framework does not provide a specific definition of what would constitute a disproportionate addition over and above the size of the original building. However, the supporting text of Saved Policy GBA1.5 of the UDP identifies that as a general guideline, extensions which increase the volume of the original dwelling by more than one third are unlikely to be acceptable. That figure was based upon an assessment of extensions to a dwelling in a different context to paragraph 89 of the Framework. However, in the absence of any guidance or up-to-date policy relating to what would constitute a disproportionate addition, a threshold of no more than 33% larger in volume than the original building is a reasonable starting point for such an assessment.
9. Based upon the evidence before me, the two storey extension to the detached former coach house would constitute an increase in volume of the building of around 100% by almost doubling its depth at the rear with similar scale and proportions. The extension would be substantially greater than a 33% increase in volume relative to the detached former coach house and would be a disproportionate addition over and above the size of the original building.
10. As the extension would be a disproportionate addition to the size of the original building, it would have an adverse effect upon the openness of the Green Belt. The development would result in the introduction of built form of substantial size and scale in a location that is currently open and in use as garden curtilage, and would be visible at the rear of the building from public vantage points along Wilmslow Road. As the development would not preserve the openness of the Green Belt it also would not meet the criteria of certain other forms of development that would not be inappropriate in Green Belt as listed in paragraphs 89 and 90 of the Framework.
11. The location of the proposed extension within the established residential curtilage of Woodford Grange would not result in a harmful encroachment of development into the countryside or harm to the other purposes of Green Belt listed at paragraph 80 of the Framework. However, the absence of harm in those respects is a neutral factor.
12. I conclude that for the purposes of the Framework, the proposal is inappropriate development in the Green Belt with associated harm upon its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The proposal also conflicts with Saved Policies GBA1.2, GBA1.5 and GBA1.6 of the UDP as previously identified.

Location and supply of housing in rural areas

13. Policy CS4 of the Stockport Local Development Framework Core Strategy (CS), adopted March 2011, sets out the Council's approach to the distribution of housing which includes spatial priorities linked to specific locations, with a focus on making effective use of land within accessible locations. The site does not fall within the locations listed as first and second priorities and therefore, would need to be assessed in terms of the third priority of other accessible locations, where 15% of provision is sought to be directed.

14. The detailed approach to assess accessibility is set out in Policy H-2 of the CS. It includes circumstances where there is less than a five year deliverable supply of housing during the first ten years of the plan period, which results in a previously developed land target of 80% being applied to all development and the required accessibility score being gradually lowered on an annual basis. The Council accepts that it is currently unable to demonstrate a five year supply of deliverable housing land in line with the requirements set out in the Framework with an identified shortfall of 1.2 years of housing supply. Whilst Policy H-2 makes some provision for the lack of a five year housing land supply, the policy predates the publication of the Framework, which seeks to boost significantly the supply of housing at paragraph 47 and at paragraph 49 indicates that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. Paragraph 14 of the Framework is, therefore, engaged which I intend to return to separately as part of the planning balance, after assessing the proposal relative to the main issues.
15. As the site lies outside of a built up area, Woodford Grange and its associated buildings and garden curtilage would meet the definition of previously developed land set out in Annex 2 of the Framework. However, the Council have confirmed that for the purposes of Policy H-2 of the CS, the minimum accessibility score is currently set at 34, having been reduced from 50 due to the housing undersupply. The Council indicate that the accessibility score of the site would be 25 or 26 and that, therefore, the proposal would not be an accessible location for the purposes of Policy CS4 as it would not meet the requirements of Policy H-2.
16. There is no detailed information before me relating to the specific site score. However, based upon the Council's evidence, the accessibility score is derived from a computer based system with criteria relating to time and distance from properties to access different facilities and services. The assessment includes employment, evening economy, retail, food retail, secondary schools, primary schools, GP surgeries and hospitals, which would appear to be a reasonable approach to take account of facilities that are necessary to meet the needs of future occupiers of development. Nevertheless, given the limited detail accompanying the Council's specific site score calculation relative to Policy H-2, I cannot rely upon it and, therefore, undertake my own assessment based upon the evidence before me and observations during my visit.
17. Woodford consists of a broadly linear settlement with development aligned close to the main through-routes of Wilmslow Road and Chester Road, with some additional development alongside Church Lane and to either side of Moor Lane. There are a number of services and facilities in Woodford, including a church, a public house, restaurant, small supermarket, garden centre, community centre and a small parade of shops including a hairdresser and bathroom store. However, as the settlement has no defined centre those facilities are largely dispersed over some distance along Chester Road.
18. The site is located on the periphery of Woodford on a section of Wilmslow Road in a rural location opposite to a ribbon of detached residential properties and close to another property further to the west. Consequently, the site is not remote or isolated from other properties in the area. The closest services and facilities, such as the church, public house and restaurant together with bus stops on Chester Road, are within a short walking distance. The footways from

the site to the services and facilities of Woodford are not continuous on a single side of the carriageway and would require crossing the busy A-road a number of times to access those services and facilities. However, the footways are of a suitable width with street lighting and the visibility at necessary crossing points is adequate to ensure pedestrian safety. Furthermore, I also observed cyclists using Wilmslow Road. Consequently, the identified facilities and bus stops would be accessible by future occupiers of the development on foot or cycle.

19. The other facilities in Woodford on Chester Road, including the small supermarket, are more distant from the site, with other facilities such as a convenience store, public house and children's day nursery close to the junction of Wilmslow Road and Adlington Road being a similar distance away in the opposite direction. Whilst those facilities are close enough to walk or cycle to and would meet some needs of future occupants, given the distances involved I consider that they would be more likely to be regularly accessed via use of a car. In any case, future occupiers of the proposed dwellings would likely need to travel much further afield for larger weekly food shopping and everyday needs such as work, medical facilities and schools.
20. The bus stops on Chester Road have services from Woodford to and from larger nearby settlements such as Bramhall, where a train station is located, with the full bus route also linking to Manchester. The bus services run regularly from the early morning until the early evening on each weekday, with less frequent services on Sundays and Bank Holidays. The bus services would be sufficient for regular commuting during the day for employment and to access schools in larger settlements. However, there would remain some reliance upon car use to access a wider range of services and facilities from the early evenings onwards. Furthermore, I consider that future occupants would be less likely to access the bus services in inclement weather or when carrying shopping or bulky goods given the distance of the bus stops from the site.
21. Having regard to the above, I find that it is likely that the development would encourage dependency on private car use when undertaking the majority of journeys to access the necessary range of facilities and services to meet the needs of future residents. Whilst greater dependency on car use is inevitable in rural locations and there are existing residential properties in the immediate vicinity, based upon the approaches of Policies CS4 and H-2 of the CS, more accessible locations closer to a wider range of local services and facilities should be prioritised for housing development. As the proposal would not be within an accessible location that would maximise sustainable modes of travel it would be harmful with associated conflict with Policies CS9 and T1 of the CS which require that development is in locations which are accessible by walking, cycling and public transport and reduce the need to travel by car.
22. In reaching the above findings, I have taken account of a recent appeal decision drawn to my attention relating to a detached dwelling at 368 Chester Road, Woodford². However, the appeal site is some distance from that location which is much closer to the settlements of Poynton and Bramhall where a wider range of facilities and railway stations are located. The Inspector's conclusions were influenced by bus service and cycle parking improvements at the railway stations arising from the first phase of housing development at Woodford Garden Village, which is relatively close to 368 Chester Road. The appeal site

² Appeal Ref: APP/C4235/W/16/3150831 – Allowed with Conditions – 12 October 2016

is distant from Woodford Garden Village and would not derive any significant accessibility benefits from those improvements. Consequently, the conclusions of the Inspector relating to the appeal at 368 Chester Road are not an influential factor given the difference in locational circumstances.

23. Future services and facilities which may come forward in latter phases of Woodford Garden Village are given little weight due to the timescales involved. In any case, they would be most likely accessed via use of a car from the appeal site rather than walking or cycling due to the distances involved.
24. The appellant has also referred to the possibility of other future development in closer proximity to the site based upon the Greater Manchester Spatial Framework (GMSF). However, the GMSF document is subject to revisions and there is no certainty at this stage that the proposed allocation close to Woodford will be included in any subsequent version. Consequently, I can give little weight to the potential for such a development to come forward or any possible accessibility benefits in that respect.
25. I conclude that the development would not be consistent with the objectives of policies relating to the location and supply of housing, with particular regard to accessibility of local services and facilities. The development is, therefore, contrary to Policies CS4, CS9, H-2 and T1 of the CS.

Other considerations

26. The appellant has emphasised the importance of the contribution of the development to housing supply given the Council's inability to demonstrate a deliverable five-year supply of housing land. Whilst the aim of the Framework to boost significantly the supply of housing, carries considerable weight, the development would result in one additional dwelling which would make only a modest contribution to housing supply. The limited social and economic benefits in that respect, including during construction works and in terms of support for local services and facilities once occupied, are to be assessed as part of the subsequent planning balance.

Planning Balance

27. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. There would also be significant harm upon the openness of the Green Belt and harm associated with reliance upon car use arising from the development not being consistent with the objectives of policies relating to the location and supply of housing. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
28. As per my previous findings, the housing supply policies of the development plan cannot be regarded as up-to-date, and the proposal must be assessed relative to paragraph 14 of the Framework. The approach of paragraph 14 of the Framework for decision taking where the development plan is absent, silent or relevant policies are out-of-date, is that planning permission should be granted, unless amongst other things, specific policies in the Framework indicate development should be restricted. The specific policies in the Framework which indicate development should be restricted include those relating to land designated as Green Belt as listed in footnote 9. Consequently,

the proposal is not sustainable development for the purposes of the development plan or the Framework as a whole.

29. The Framework does not change the statutory status of the development plan in terms of decision making. I find that the other considerations in this case, including the limited social and economic benefits associated with a single dwelling in circumstances where a housing shortfall exists, do not clearly outweigh the substantial weight to be given to the totality of harm to the Green Belt and other harm arising from the proposed development reflected in the identified conflict with development plan policies. Consequently, the very special circumstances necessary to justify the development do not exist.

Conclusion

30. For the reasons set out above and having taken all other matters into account, I conclude that the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR