



Appeal Decision

Hearing Held on 19 June 2018

Site visit made on 19 June 2018

by Mike Worden BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2018

Appeal Ref: APP/R0660/W/17/3190537

Anson Engine Museum, The Anson, Anson Road, Poynton, Cheshire SK12 1TD

- 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 Geoff Challinor for the Anson Engine Museum against the decision of Cheshire East Council.
 - The application Ref 17/3504M, dated 4 July 2017, was refused by notice dated 7 November 2017.
 - The development proposed is new entrance hall and toilets, new exhibition hall.
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Decision

1. The appeal is allowed and planning permission is granted for a new entrance hall and toilets and new exhibition hall at the Anson Engine Museum, The Anson, Anson Road, Poynton, Cheshire, SK12 1TD in accordance with the terms of the application, Ref 17/3504M, dated 4 July 2017, subject to the conditions on the attached schedule.

Procedural Matters

2. Since the close of the hearing, the revised National Planning Policy Framework has been published. Neither the Council nor the appellant has made any further comments in response to the publication.

Main Issues

3. The main issues are:
 - Whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policy;
 - The effect of the proposal on the openness of the Green Belt; and,
 - If the proposal is inappropriate, 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

Inappropriate development

4. The appeal site lies in the Green Belt on land which was formerly part of a colliery. It is now the home of the Anson Engine Museum which occupies two large single storey buildings, a number of other buildings and a large area of hardstanding. The two main buildings are the Main Hall which houses the entrance, reception, café and display areas, and the Cawley Memorial Hall which is a rectangular shaped building housing engine exhibits.
5. The site is accessed from Anson Road by a long driveway and its boundaries have established tree cover. On its western side there is a public footpath and a golf course beyond it, whilst on its eastern side beyond a line of trees is a group of farm buildings. On its northern side there are the remains of a colliery spoil heap which has significant vegetation on it.
6. The proposal is to make additions to the two main buildings on the site. It is proposed to extend the Main Hall by adding a single storey element to the front to provide new exhibition space and toilets and remove a part-covered side and rear extension. It is also proposed to extend the Cawley Memorial Hall on to the hardstanding area to create additional covered exhibition space.
7. Paragraph 143 of the Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 145 states that the construction of new buildings would be inappropriate development in the Green Belt unless one of the specified exceptions applied. One of these exceptions is 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.
8. Policy PG3 of the *Cheshire East Local Plan* (the CELP) sets out how proposals for development in the Green Belt will be considered and follows the approach taken in the Framework. Policy GC1 of the *Macclesfield Borough Local Plan* (the MaccLP) is concerned with proposals in the Green Belt but does not make references to inappropriate development or to the extension of non-residential buildings. Since it is not entirely consistent with the Framework in this regard, I have afforded it only limited weight in this case.
9. I have attached only very limited weight to the Poynton with Worth Neighbourhood Plan, since the plan is only at Regulation 14 stage and is not likely to be adopted for some time.
10. The Main Hall has previously been extended, to either side. The proposal to extend to the front would be off-set by the removal of the single storey wrap around element along the south eastern side of the building. At the hearing, the parties agreed that that this wrap around element had been in place for some time, and therefore it can be considered as an established part of the building. Its removal and the new addition would result in a small overall reduction in footprint of the building and both the Council and the appellant agreed therefore that this would not be inappropriate development and that the overall proposal for the Main Hall would be acceptable.
11. Since the proposal would be an overall slight reduction in built form in relation to the Main Hall, I would agree with the parties that it would not be a disproportionate addition and therefore not inappropriate development in the

Green Belt. It would therefore accord with Policy PG3 of the CELP and the Framework.

12. The proposed extension to the Cawley Memorial Hall would be a wholly new addition and would be a significantly large extension. Although single storey, it would extend the length of the existing building by around 36m. At the hearing the Council suggested that the size of the building would be doubled by the extension, and this was not disputed by the appellant.
13. In consideration of whether the proposal would be a disproportionate addition to the Cawley Memorial Hall, the Council referred me to Policy GC12 of the MacCLP which sets out the approach to residential alterations and extensions to houses in the countryside including the Green Belt. However, I do not share the Council's view that the figure of 30% referred to in the policy is necessarily an appropriate figure to apply in this case as the proposal is not a residential extension and has significantly different characteristics to such extensions. Nevertheless, I agree with the Council that an extension of the size proposed would be disproportionate to the existing building. I therefore consider that the proposed extension to the Cawley Memorial Hall would be inappropriate development in the Green Belt.

Openness

14. The Framework states that openness is an essential characteristic of Green Belts. The appeal site is well screened by trees from Anson Road, and the golf course. The public footpath is separated from the site by a bank of trees, and although the tree belt at this point is not dense for its full length, it would provide a reasonable level of screening particularly in the summer months. Similarly the trees alongside the stream on the eastern side provide a degree of screening. The colliery spoil heap at the northern end of the appeal site also screens the site from that direction. These factors combine to give an enclosed nature to the site.
15. The proposed development would add to buildings which are already insitu rather than create new buildings, and the two buildings concerned are single storey. The proposed extension to the Main Hall would be offset by the removal of the wrap around element. I have already concluded that this proposed addition would not be inappropriate development. It would therefore not have a harmful effect on openness by definition, having regard to the Framework.
16. The proposal to extend the Cawley Memorial Hall however would result in a significant addition to built form on the site compared to the existing development. However, the proposed extension would enable the exhibits currently stored in the open on the site and mainly on the area where the building would extend to cover, to be located indoors. These large exhibits currently have a significant visual impact on openness, although I accept the point made by the Council that the exhibits are not development and not necessarily permanent, whereas the building would be. Overall therefore I consider that the proposal for the extension to the Cawley Memorial Hall would have a harmful impact on the openness of the Green Belt. It would constitute built form where there is no built form at the moment. However, the impact on openness would be to a limited degree given the consequent removal of the large exhibits currently stored there, and the enclosed nature of the site.

Other considerations

17. The Museum has been operating from the site for many years and is run by a group of volunteers. The appellant estimates that although not open all year round or every day, the Museum attracts around 5000 visitors per year. The work of the Museum in promoting and providing education on the history and mechanics of different engines is well regarded. Evidence of this, including the links with the Science Museum, formed part of the application and was also described by representatives of the Anson Engine Museum at the hearing.
18. The appellants intention is that the proposed development would enable exhibits which are currently stored on the hardstanding area and are not on display to the public to be placed indoors where they would be protected from the weather and where they could be viewed in the context of the Museum's other displays. The height of the proposed extension needs to be sufficient to accommodate the engines.
19. From the site visit, it was clear that the existing exhibition areas were largely full of exhibits. I appreciate that to be able to place other exhibits under cover and as part of the Museum tour would be a significant benefit to the work of the Museum and the visitor experience. Some of the exhibits were on loan from the Science Museum. Whilst the Museum could decide not to take on loaned exhibits, I consider that such arrangements are typical of museums in general and, in any case, benefit the offer provided to the visitor.
20. The appellants drew my attention to Policy EG4 of the CELP which, amongst other things, seeks to promote the enhancement and expansion of existing visitor attractions and tourist accommodation in sustainable and appropriate locations. Although this policy does not make any reference to Green Belt, it does nonetheless apply across the Borough and is relevant to the consideration of the proposal before me. The proposal to extend both buildings would provide better facilities and would enhance and expand an existing visitor attraction. I attach significant weight to this consideration.
21. The size of the proposed extensions reflect the need for the additional space, to both provide new entrance and toilets and, in the case of the Cawley Memorial Hall, house exhibits currently unable to be displayed in the existing building. These exhibits could potentially suffer damage from being kept outdoors. The appellants contend that the Museum is unable to relocate to another site and I accept that finding a suitable non-Green Belt site in the local area would be difficult to achieve. I also accept that there is an historical relationship with the former industrial use at the colliery site particularly in the history of engines. I have placed significant weight on these considerations.

Whether very special circumstances exist.

22. I have concluded that the proposed extension to the Main Hall would not be inappropriate development but that the proposed extension to the Cawley Memorial Hall would be and that it would also have a limited harmful effect on the openness of the Green Belt. In accordance with the Framework and Policy PG3 of the CELP, inappropriate development should not be approved except in very special circumstances.
23. The additional space would enable the Museum to offer an enhanced visitor experience and would enable exhibits which are not on display to be able to be

viewed by the public under cover and as part of the Museum tour. The attractiveness of the Museum and its ability to provide a learning experience to the public would be significantly improved. This would accord with Council's policy, as set out in Policy EG4 of the CELP to enhance and expand visitor attractions in appropriate locations in the Borough. I have placed significant weight on the benefits that the proposed extension would bring to the museum as a visitor attraction. Although not providing additional employment as the Museum is staffed by volunteers, it would nonetheless provide indirect benefits to the local economy.

24. I have attached substantial weight to the harm to the Green Belt in accordance with paragraph 144 of the Framework. However, I find that the other considerations in this case clearly outweigh the harm that I have identified. Looking at the case as a whole, I conclude that these considerations amount to the very special circumstances necessary to justify the proposed development.

Conditions

25. I have considered the conditions suggested by the Council in relation to Planning Practice Guidance and the Framework. The conditions were subject to discussion at the hearing.
26. In addition to the standard time limit for implementation condition, there is a need for a condition specifying the plans to which the permission relates, in the interests of clarity and certainty. There is also a need for a condition relating to materials, in the interests of the character and appearance of the area.
27. The Council has suggested that there is a need for conditions relating to contaminated land given the use of the site as a former colliery. The need for these conditions was accepted by the appellant. I have made minor changes, for clarity, to the two contaminated land conditions suggested by the Council.
28. There is also a need to secure the removal of the wrap around extension to the Main Hall, as its removal is the off set for the addition at the front and would mean that the extension would not be disproportionate. The condition suggested by the Council was discussed at some length at the hearing. The parties agreed that it would be appropriate to allow sufficient time for the wrap around to be removed and enable the Museum to relocate the engines currently stored within it to be moved to new entrance hall to the Main Hall. I consider that a period of three months following the new extension being first brought in to use would be an appropriate time period to enable the Museum to relocate the exhibits and demolish that part of the building.

Conclusion

29. For the reasons given above I conclude that the appeal should be allowed.

Mike Worden

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Paul Goodman	Paul Goodman Associates
Geoff Challinor	Anson Engine Museum
Paul Middlehurst	Anson Engine Museum
Tony Green	Anson Engine Museum

FOR THE LOCAL PLANNING AUTHORITY:

Michael Coburn	Cheshire East Council
Paul Wakefield	Cheshire East Council

INTERESTED PERSONS:

Timothy Price	Local resident
Katrina Price	Local resident

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Layout June 2017; New Entrance and Toilets June 2017; Exhibition and Display Hall 1 of 2, June 2017; Exhibition and Display Hall, 2 of 2, June 2017.
- 3) The materials to be used in the construction of all external surfaces of the extensions hereby permitted shall match those of the existing building.
- 4) No development shall commence until
 - i) A scope of works for addressing the risks posed by land contamination is submitted to and approved in writing by the local planning authority;
 - ii) The approved scope of works shall be completed and the results submitted to and approved in writing by the local planning authority;
 - iii) Should the approved scope of works indicate that remediation is necessary, then a Remediation Strategy shall be submitted to, and approved in writing by the local planning authority. The remediation scheme in the Remediation Strategy shall then be carried out.

Prior to the development hereby permitted being brought in to use, a Verification Report prepared in accordance with the Remediation Strategy shall be submitted to and approved in writing by the local planning authority.
- 5) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 6) Within three months of the extension to Main Hall hereby permitted being first brought into use, the existing lean to extension on the southeast/southwest elevation of the Main Hall shall be demolished.

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