



Appeal Decision

Site visit made on 4 June 2019

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 9 July 2019

Appeal Ref: APP/W4223/D/19/3226541

24 Church Fields, Dobcross OL3 5AB

- 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 Ms K Adamiec against the decision of Oldham Council.
 - The application Ref HH/342714/18, dated 17 December 2018, was refused by notice dated 11 February 2019.
 - The development proposed is the demolition of existing single-storey side extension and erection of new 2-storey side extension; erection of new porch; and internal renovations to existing building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would preserve or enhance the character or appearance of Dobcross Conservation Area (DCA) and its effect on the setting of the Grade II Listed Manor House, and;
 - The effect of the proposal on the living conditions of the occupants of Manor House, with particular regard to light and outlook.

Procedural Matters

3. The appellant has confirmed that the Local Planning Authority (LPA) granted planning permission on 25 April 2019 for a single storey side extension in the form of a porch as included in the appeal. I have no reason to disagree with the decision of the LPA, and so will not consider the merits of the porch as part of this appeal.
4. The appellant has confirmed that the LPA granted a Certificate of Lawfulness on 25 April 2019 for works to 24 Church Fields that constitute permitted development. However, I do not have the full details of these works and so give this limited weight.

Reasons

Dobcross Conservation Area and setting of the Grade II Listed Manor House

5. The appeal property is located within the small historic Village of Dobcross, the central part of which is a designated Conservation Area. The Village has a

strong character and sense of place. The winding narrow street pattern and clustered form and juxtaposed position of the buildings are a consequence of its topography (with significant level changes across the Village) and organic growth. These have created a tight-knit grain and strong sense of enclosure. The spaces between the buildings sometimes give pleasing glimpses through to other properties or long-range views to key landmarks, such as the church, or out to surrounding moorland. The buildings vary greatly in size, shape and height, but are generally consistent in their materials of local stone and slate and incorporation of stone mullioned windows, giving a degree of visual unity to the Village. All of these elements contribute to the special architectural and historic interest and significance of DCA.

6. The appeal property, which is currently vacant, is located in the historic core of the Village on the edge of Church Fields and in close proximity to the Grade II Listed Manor House. It is a small stone cottage with a slate roof and a lean-to at one side. The steps between Manor House and the cottage indicate a historic link, and the difference in their size and grandeur reflects the different status of their historic occupiers. The cottage's modest size, traditional form, simple design and use of local materials cause it to make a positive contribution to the character and appearance of DCA.
7. The appeal proposal is a revision of a previous application (ref HH/337462/15) which was refused by the LPA and then dismissed on appeal (ref APP/W4223/W/16/3141972). It would have a stepped design with the first floor being lower than the host cottage and the ground floor being an 'L' shape. It would be marginally longer than the existing lean-to. It would incorporate a long, slim glazed window separating the cottage and the new extension, and large patio doors to the ground floor gable of the extension. The materials would be stone and slate.
8. I acknowledge that the appellant has given careful consideration to the revised proposal and sought to address the issues raised previously. However, it would be an unduly prominent addition to this modest cottage, lessening the positive contribution it makes to DCA. In addition, the proposal's part contemporary, part traditional form and design (incorporating patio doors which were highlighted as out of keeping by the previous Inspector and I have no reason to disagree) would detract from the historic integrity and character of the cottage and be detrimental to the character and appearance of DCA.
9. Notwithstanding the reshaping of the roof profile, the proposal would also have an adverse impact on important views within DCA. It would obscure views between the cottage and Manor House from Woods Lane out to the moorlands beyond and detract from views looking north/north east from the footpath and adjacent access lane.
10. The appeal property is located within the setting of the Grade II Listed Manor House. Manor House is a large detached residential property which has been altered over time. It is stated in the Listed Building description to date from circa 1800, but there is evidence that it could be older. Its age, form and design mean that it is of high historical and architectural value and thus of high significance. It occupies a prominent position on Woods Lane adjacent to Church Fields with all four elevations visible from the surrounding lanes and footpaths. This detached and relatively open setting contributes to the building's significance.

11. The cottage is wholly subservient in size, form and design to Manor House and the space between them, albeit limited, is important in physically and experientially separating and differentiating the properties. These are important elements of their historical and physical relationship.
12. It is accepted that the elevation facing the appeal property is the plainest. However, it is still of significance as it contains important evidence of the evolution of the building, such as the stone mullioned windows to the cellar and the raised quoins from the original T-shaped plan. At present the majority of the gable is visible from the public realm.
13. The proposal would be located at an angle in front of this elevation. Whilst the majority of the gable would still be visible the proposal's size and form would reduce the physical and visual separation between the buildings and compromise their historic relationship. In addition, it would create an uncomfortable sense of enclosure, particularly at ground floor level between the utility room of the cottage and Manor House. In these respects, the proposal would harm the setting of the Listed Building.
14. Consequently, I consider that the proposal would not preserve or enhance the character or appearance of DCA and would not preserve the setting of the Grade II Listed Manor House. As such it would conflict with policies 9, 20 and 24 of the Oldham Joint Core Strategy and Development Management Policies Development Plan Document (OJDPD) (2011) which, amongst other things, seek to ensure a high quality of design that reflects local character and distinctiveness, does not have an adverse visual impact, protects and enhances the character and appearance of conservation areas and preserves and enhances the special interest and setting of listed buildings. It would also conflict with Section 16- Conserving and enhancing the historic environment of the National Planning Policy Framework (Framework).
15. Having regard to paragraph 196 of the Framework, the harm caused to the significance of both DCA and the setting of the Grade II Listed Manor House would be 'less than substantial', because it would be limited to the immediate surroundings of the cottage, specific views and part of the setting of the Listed Building. This harm needs to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
16. The reuse of this currently vacant building would be a public benefit and there would also be a benefit in terms of future occupants using local services. However, in line with the previous Inspector's conclusion, given the mix of sizes and types of properties within the Village, I am not persuaded that the proposal is necessary to facilitate the use of the cottage as a dwelling. As such, I am of the opinion that the limited public benefits presented are not sufficient to outweigh the identified harm.

Living conditions of the occupants of Manor House

17. There are a number of habitable rooms on the side elevation of Manor House facing the appeal site. The closest ones to the proposal are at ground floor level and serve a kitchen/diner and living room. Notwithstanding that, in relation to their size, they are secondary windows in these rooms, they are important in terms of providing light into the rooms and views out to the open countryside.

18. The proposal would not directly obscure these windows. The roof profile of the ground floor section would be below these windows and the first floor section would be in line with, but to the side of, these windows. The building line of the ground floor utility room would come close to Manor House.
19. The appellant has carried out a full appraisal of the effect of the proposal on both sunlight and daylight into Manor House, which confirmed that it would have a limited impact. This is corroborated in the LPA report, which states that there would be a partial loss of sunlight to the window on the front and some overshadowing to the mullioned lounge window. Therefore, I find no significant harm in terms of loss of light.
20. The reduction in the separation between the buildings (particularly at ground floor level) would impact on Manor House. However, this impact would be more on the setting of the Listed Building (which has been covered earlier), rather than the living conditions of the occupants. In this respect, I consider that the proposal would have a limited impact in relation to outlook and would not amount to significant harm.
21. Therefore, I conclude that the proposal would not significantly harm the living conditions of the occupants of Manor House, with particular regard to light and outlook. As such, it would not conflict with Policy 9 of the OJDPD (2011) which, amongst other things, ensures that development does not cause significant harm to the amenity of existing and future neighbouring occupants.

Other Matter

22. The appellant refers to other similar schemes within the area involving the renovation, alteration and/or extension of traditional buildings. I am not aware of the particular circumstances of these cases and, in any event, I must consider this proposal on its own merits.

Conclusion

23. The proposal would not preserve or enhance the character or appearance of DCA or preserve the setting of the Grade II Listed Manor House. These are matters which must attract considerable importance and weight against the proposal. Whilst the development would be acceptable in terms of its effect on the living conditions of the occupants of Manor House, this does not outweigh my findings in respect of this. In relation to the Framework, the proposal would cause 'less than substantial harm' to the significance of these designated heritage assets. I must attach considerable importance and weight to that harm, which I find would not be outweighed by the limited public benefits of the proposal.
24. For the reasons above and having considered all matters raised, I conclude that the appeal should be dismissed.

F Cullen

Inspector