



Appeal Decision

Site visit made on 1 July 2019

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 July 2019

Appeal Ref: APP/M0655/W/19/3221877

100 Kenyon Lane, Croft, Warrington WA3 4AY

- 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 and Mrs G and R Corns against the decision of Warrington Borough Council.
 - The application Ref 2018/33264, dated 4 July 2018, was refused by notice dated 24 October 2018.
 - The development proposed is the part demolition of existing storage building and erection of one detached dwelling.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr and Mrs G and R Corns against Warrington Borough Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - The effect of the development on the setting of the listed building, Barrow Farmhouse; and
 - Whether the proposal is inappropriate development in the Green Belt and its effect on openness.

Reasons

Setting of the Listed Building

4. The existing farmhouse is a Grade II listed building and appears to be a C18th rebuilding of a former structure. Whilst it has had some recent modifications, including the installation of uPVC windows, its design and form are of a traditional farmhouse style and provides both historic and architectural merit. Its three-storey height and dominant position within the streetscene results in it appearing as a prominent feature within the area.
5. The numerous surrounding outbuildings, which are simple, utilitarian metal and timber clad buildings of a typical agricultural design, have no architectural merit. Nevertheless, they make a positive contribution to the historic

agricultural context of the overall complex, including the farmhouse. The low profile of the outbuildings and their simplistic, utilitarian design ensure that they appear subservient to the farmhouse, which is clearly read as the dominant feature within the site. Therefore, the historic agricultural context of the overall site and the dominant relationship the farmhouse has with the outbuildings make a positive contribution to the significance of the heritage asset.

6. The proposed dwelling would be set back behind the rear building line of the farmhouse and set at a slight angle to it. The dwelling would be a dormer bungalow with a gable element on the front elevation with a bay window, a lower side element on the south side and a dormer element to the rear. These various design elements would be in stark contrast to the simplistic form of the farmhouse, which is rectangular in shape with symmetrical fenestration on the elevation facing the road, which is the main elevation viewed by the public. This symmetry is further enhanced by the two chimney stacks on its gables.
7. As a consequence, the dwelling would fail to respect the existing dominant/subservient relationship the farmhouse has with the existing outbuildings. The dwelling would appear significantly more dominant within the setting of the listed building than the outbuilding and as a result would draw the eye away the farmhouse, detracting from its significance.
8. Furthermore, the design of the dwelling would not reflect the historic agricultural context of the setting of the listed building. I acknowledge that it has taken design cues from nearby, more modern dwellings. However, this only highlights that the design of the proposed dwelling has not had sufficient regard to the listed building and its setting, which is equally as, if not more important, than reflecting the context of the wider area.
9. The outbuildings to be demolished occupy a far greater area of the site and have a significantly greater volume than the proposed dwelling. Nevertheless, their simple, utilitarian form ensures that they remain subservient to the farmhouse and contribute to its historical agricultural context. The proposed dwelling, as a result of its unsympathetic design and form would fail to reflect this relationship and therefore would detract from the setting of the listed building.
10. Paragraph 196 of the National Planning Policy Framework (the Framework) confirms that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use. The proposed dwelling would have less than substantial harm to the significance of the setting of the listed building.
11. The provision of a dwelling would make a positive contribution to the housing supply in the area. In addition, the dwelling would utilise environmentally friendly construction methods. Furthermore, I acknowledge the appellants' wish to provide sufficient accommodation to potentially care for elderly relatives in the future, which could reduce the demand public healthcare services. However, given the small scale of the development, I attribute these matters limited weight in favour of the proposal. Individually or cumulatively, I do not find that these amount to public benefits that would outweigh the harm to the setting of the listed building.

12. I therefore conclude that the proposal would significantly harm the setting and also the significance of the listed building as a heritage asset. As such, it is contrary to Policies QE7, QE8, and CC2 of the CS, which, amongst other matters, seek to ensure that development harmonises with adjacent buildings; protects and enhances the setting of heritage assets and relates satisfactorily to its rural setting. Furthermore, it would fail to accord with the heritage objectives of the Framework.
13. In their second reason for refusal in the Decision Notice, the Council cite Policy C5 of the CS. However, there are no details of this policy presented to me. Accordingly, I cannot be certain of its relevance to this issue and therefore cannot find conflict with it.

Inappropriateness and Openness

14. The appeal site lies within the Green Belt. Paragraph 145 of the Framework states that the construction of new buildings in the Green Belt shall be regarded as inappropriate development. However, there are exceptions to this presumption against new buildings in the Green Belt. One such exception is the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
15. The buildings that are proposed to be demolished are largely empty. At the time of my site visit, there was some domestic and caravan storage and whilst there was an old tractor and machinery stored in one of the buildings, there was no evidence that it was used for agricultural purposes. Whilst the buildings clearly have the appearance of traditional metal sheet and timber clad agricultural buildings, there is no evidence before me to indicate that they have been in such use for a long time; indeed, there is no evidence that some of them have ever been in agricultural use.
16. I note that the bat survey makes reference to a 'farm shed' and the heritage statement make reference to former agricultural buildings. However, these are simply the authors' terms of reference for the buildings. They do not indicate what their lawful use is.
17. Based on the evidence before me and the observations I made on site, on the balance of probabilities, I consider that although some of the buildings were once in agricultural use, their change of use to domestic and caravan storage has gained immunity from enforcement action and have become lawful. However, my findings on this matter do not in any way prejudice the Council's consideration of any future applications for a certificate of lawful use.
18. Accordingly, the buildings to be demolished and the overall appeal site is considered to be previously developed land. Therefore, I must now consider whether the redevelopment of the previously developed land would have a greater impact on the openness of the Green Belt.
19. There is no dispute that the cumulative volume and floor area of the buildings to be demolished is greater than the proposed dwelling. The Council states that the height of the 'Existing Outbuilding' is 9.98m to the ridge. However, it is not clear which outbuilding is being referred to. Based on the observations I made during my site visit, none of the buildings to be demolished appeared to

be this high; indeed, they were significantly lower. The appellants' Planning Statement states that the main building to be demolished is some 4.9m in height and the proposed dwelling would be 6m in height, which appears to be a more accurate representation.

20. Nevertheless, the Council raise no objection to the proposal in terms of its effect on openness, noting in the Delegated Officer Report that it could be seen as a reduction in the impact on openness. However, this assessment appears to only consider the spatial dimension of openness. The effect of development on openness cannot be solely assessed on a calculation of volume, floor area and height. It is a well-established principle that openness has both a spatial *and* visual dimension.
21. The building would in part be on the footprint of an existing large building and would be set back from the road, behind the building line of the existing dwelling. The width of the dwelling would be significantly less than the main building to be demolished and whilst it would be slightly higher, I do not consider that it would appear any more intrusive than the outbuildings it would replace.
22. I find therefore, that the proposal would constitute the redevelopment of previously developed land and would not have any greater impact on the openness of the Green Belt than the existing development. Accordingly, it would not represent inappropriate development in the Green Belt. As such, it would comply with Policies CS1, CS5 and CC1 of the Warrington Borough Council Local Plan Core Strategy (CS) 2014, which, amongst other things, seek to protect the Green Belt.

Other Matters

23. The appellants have referred me to the planning permission for two dwellings immediately to the north of the site¹. However, there is no evidence before me of the approved scheme and therefore I cannot be certain of the effect the approved dwellings would have on the setting of the listed building. Accordingly, I attribute the approved scheme very limited weight.

Conclusion

24. I have found that the proposal would not represent inappropriate development in the Green Belt. However, this does not outweigh the harm it would have on the setting of the listed building.
25. For the reasons given above, the appeal is dismissed.

Alexander Walker

INSPECTOR

¹ LPA Ref: 2018/33288