
Appeal Decision

Site visit made on 21 July 2020

by R Cooper BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 August 2020

Appeal Ref: APP/C4235/W/20/3248965

Land Adjacent to the White House, Torkington Road, Hazel Grove, Stockport SK7 6NP

- 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 Donnelly against the decision of Stockport Metropolitan Borough Council.
 - The application Ref DC/075288, dated 21 November 2019, was refused by notice dated 15 January 2020.
 - The development proposed is the erection of four dwellings and other associated works.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The above description of the development is taken from the application form. However, it is clear from the submitted plans and supporting documents that the proposal includes the demolition of two existing buildings. Therefore, I have proceeded on the basis that the demolition works form part of the proposal.

Main Issues

3. The main issues in this appeal are:
 - The effect of the development on the character and appearance of the area with regard to a non-designated heritage asset;
 - The effect of the use of the access on highway safety;
 - Whether the appeal site would be a suitable location for housing, having regard to accessibility by different modes of transport and proximity of services; and
 - Whether the proposal makes adequate provision for any additional need for open space arising from the development.

Reasons

Character and Appearance and Heritage

4. The appeal site is located within the countryside and forms part of a small group of buildings that comprise White House Farm. Surrounding the site is extensive open farmland, and the prevailing character and appearance of the area is rural.

5. The group of buildings are identified within the Greater Manchester Historic Environment Record (HERS). Both parties consider the buildings to be a non-designated heritage asset (NDHA). Therefore, I have considered the effects of the proposal on the NDHA's significance in accordance with paragraph 197 of The National Planning Policy Framework (the Framework).
6. The NDHA consists of three detached buildings on a historic farmstead, that dates back to the late 18th Century. This comprises a farmhouse and a barn, as well as a building referred to in the HERS record as a cottage. The farmhouse itself falls outside of the appeal site and does not form part of the proposal before me.
7. The main part of the barn is brick-built with thick stone roof tiles, the single storey element to the rear appears to be a later addition and has a lean-to slate roof. The cottage is constructed in brickwork, has a slate roof and a staircase to the side leading to the first floor. Whilst I note the buildings have been altered, and the barn extended, externally both buildings appear to be intact, and the overall form and period design features such as the window and door openings, and external brickwork reflect their period of construction. These architectural features and traditional building materials contribute to the significance of the NDHA, as well as the prevailing character of the area.
8. The design of the replacement buildings would be more akin to a suburban environment. Their detached form, roof dormers, fenestration and roof lights, would be unduly domestic in appearance, and not in keeping with the rural context. Furthermore, the associated hard surfacing, parking areas, and likely domestic paraphernalia would also have an urbanising effect, that would visually compromise the rural character and appearance of the historic farmstead.
9. I now turn to the historic significance of the NDHA. The HERS record states that the barn and cottage were constructed late 18th to early 19th century. Evidence provided by the appellants also indicates that the current site layout and its setting within the countryside reflects that shown on an early 19th century Tithe map. Albeit the barn may have been replaced or expanded around this time to reflect the historical trends in farming. Therefore, the significance of the barn and outbuilding also lies in their historic as well as architectural interest as a farmstead.
10. The proposal would result in the complete demolition of the barn and the cottage. These encompass the substantial portion of the historic and architectural value of the farmstead. Their loss would result in substantial harm to the integrity of the NDHA as a group of buildings and the positive contribution that they make as a historic farmstead to the character and appearance of the area.
11. I have considered the surveyors letter (Walvin Associates Ltd, April 2017) and structural report (PRG-23766-002SER, February 2020). I note the substantial works and likely costs associated with converting the barn to residential. However, neither document provides substantive evidence that an alternative use would not be viable. I also note works to the adjacent dwelling are included, and the cottage is not covered by the structural report. Consequently, the evidence does not provide a clear and convincing justification for the harm to the heritage asset arising from the demolition and is contrary to Policy SIE-3 in this regard.

12. The appellants consider the significance of the non-designated heritage asset to be limited to the grouping of the buildings, and that the proposed plans maintain the integrity of this. However, for the reasons given above the buildings significance also lies in their historic and architectural value as a farmstead. The siting of the new buildings on the footprint would not lessen the harm that would be caused from their loss. The proposed new dwellings would not replicate the farmstead context for the remaining farmhouse; accordingly, the proposal would harm the setting of the farmhouse which also forms part of the NDHA.
13. I acknowledge that the buildings are not within a Conservation Area and are not statutorily listed. However, the Framework attaches importance to heritage assets, both those designated and non-designated.
14. Consequently, the proposal would harm the heritage asset. It does not accord with Policies CS8, SIE-1 and SIE-3 of the Local Plan which seek to ensure development respects local character, and preserves or enhances the special architectural, historic and archaeological significance of heritage assets. The proposal would be inconsistent with paragraphs 127 and 197 of the Framework in this regard.
15. Reason two of Council's decision notice refers to saved Policies L1.8 and L1.9 of the Stockport Unitary Development Plan Review (2006). These policies relate to Strategic Recreation Routes and Recreation Routes and New Development. Therefore, are not relevant to this main issue.

Highway Safety

16. The proposal is to utilise the existing access serving White House Farm which is taken from Torkington Road. Within the vicinity of the site this takes the form of a country road, with no footways, and narrow verges, and hedgerows and trees either side. Either side of the access itself are low level walls, with mature vegetation either side. The access is located in close proximity to a significant curve in the road, which is positioned to the left when exiting the property.
17. The appellants have provided details of visibility splays on the submitted drawings. This shows that when exiting the site, to the right a visibility splay of 2.4m x 44.7m could be achieved. Given the straightness and width of the road in this direction, it would provide suitable visibility of oncoming vehicles.
18. The appellants claim that a splay of 2.4m x 46m could be achieved for visibility to the left when exiting the site. However, the Council dispute this, as the submitted drawings do not take into account the curvature of the road and the positioning of oncoming traffic. I also note that this does not accord with Manual for Streets 2, which takes into account the volume of HGV traffic identified in the Transport Note and would require a splay of 2.4m x 50m.
19. I have been provided the Local Highway Engineers assessment and associated diagram. This demonstrates that even if the shorter splay is used, albeit repositioned to take into account the geometry of the road, clear visibility of oncoming traffic for 46m could not be achieved. This is because the line of visibility is interrupted part way by mature tree planting on the inside of the curve in the road.
20. During my site visit I was also able to observe the juxtaposition of these trees and the resulting effect on visibility. The land opposite does not fall within the

application site boundary, and there is no evidence before me that suitable measures could be secured to improve the visibility. Consequently, the access for the proposed four dwellings would fail to meet the local and national design standards.

21. Turning to the Council's concerns with regards to the ability of the proposal to facilitate a refuse vehicle. The appellants have provided swept path analysis of a large three axle refuse vehicle. Whilst the diagram does not provide a scale or dimensions, it is clearly annotated and overlaid on the proposed site layout plan. With the exception of some minor cross over, which could be dealt with by way of condition to secure a landscaping scheme, the diagram demonstrates the ability of the vehicle to enter the site, manoeuvring within, and exit in a forward gear. However, this does not lessen my above concerns regarding poor highway visibility.
22. The access already serves the adjacent dwelling, and that this has planning permission (DC/071700) to be converted into 2 units. I also understand that the barn is currently in use. However, no details of its existing operations or vehicle movements have been provided to enable me to assess the number of vehicle movements arising from the proposal against the existing position. In the absence of any substantive evidence to the contrary I can only conclude that the appeal proposal would intensify use of the access which has sub-standard visibility.
23. The Council has concerns regarding parking for the existing dwelling. There are areas of hardstanding for parking to the front and side of the house. Based on the submitted plans, supported by my observations at the site, these would be unaffected. Therefore, I have no good reason to conclude that parked vehicles would be displaced onto the highway.
24. Accordingly, I find that the use of the access would have an unacceptable impact on highway safety. It would not accord with Policies SIE-1, CS9, and T-3 of the Local Plan, insofar as they relate to ensuring development is safely accessed and can suitably accommodate the scale and type of traffic to be generated.

Location of Development

25. The appeal site is located within the countryside, outside of the settlement boundary identified in the Proposals Map that accompanies the Local Plan. The nearest day to day services and facilities would be found within the settlement of Hazel Grove, whose centre provides a variety of shops and services.
26. To access the centre pedestrians and cyclists traveling from the site would need to use Torkington Road, which for large parts in the vicinity of the site only has a narrow grass verges either side and does not benefit from footpaths or street lighting for substantial lengths of its route from the site. As such, it is undesirable for walking and cycling, particularly in the dark or during inclement weather.
27. Taking this into account future occupants would be deterred from walking or cycling and would therefore be reliant upon private motorised transport. This would not assist in mitigating the effects of climate change and encouraging the health benefits of walking and cycling.

28. I have had regard to the travel distances provided to local services and public transport, outlined in the submitted Transport Note. However, for the reasons given above walking would not be an attractive option due to the lack of footway and street lighting, which would not make walking or cycling a reasonably likely option in this case.
29. Consequently, the appeal site would not be a suitable location for housing, and its development for that purpose would be contrary to Policies T-1, T-3 and SIE-1 of the Local Plan, which seek to ensure that development is located so that it has access to services and facilities by sustainable modes of transport, and reduces the reliance on the use of the car.

Open Space Provision

30. The Council has advised that a financial contribution is required towards the provision of public open space. I have not been provided with any form of planning obligation as part of this appeal.
31. Policy SIE-2 of the Local Plan and The Open Space Provision and Commuted Payments Supplementary Planning Document (the SPD) indicate that small new residential developments will be required to contribute towards the provision of open space for formal and casual recreation and children's play in locations which are accessible to future occupiers.
32. The Council's appeal statement indicates that the contributions have been calculated using standard formulae outlined in the Annex to the SPD, which is based on the number of persons. Whilst the Council have identified where monies would be spent, I have not been provided with any detailed evidence to define the extent of any local deficiencies in open space, or the effect that the appeal proposal might have on them.
33. Accordingly, I cannot be certain that the contributions sought would be necessary to make the development acceptable or that they would be directly related to the development and fairly and reasonably related in scale and kind.
34. Consequently, and notwithstanding the aims of Policy SIE-2 of the Local Plan and the SPD, I am unable to conclude that a planning obligation seeking to provide these contributions would comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010. In these circumstances, the absence of a planning obligation does not weigh against the development.

Other Matters

35. The appeal site is located within the Green Belt. The appellants state that the proposal is not inappropriate development, as it constitutes an exception under paragraph 145 (g) of the Framework, in that it comprises the partial or complete redevelopment of previously developed land, and would not have a greater impact on the openness of the Green Belt than the existing development. The Council has come to the same conclusion, based on the evidence before me I have no good reason to conclude otherwise.
36. The ecology survey states the proposal would not impact on local bat populations, and that the site and nearby ponds have negligible potential to support Great Crested Newts. The Council's ecology advisor is satisfied with the reports and I have no evidence before me to reach any other conclusion.

Planning Balance

37. The Council has indicated that they currently cannot demonstrate a 5 year housing land supply, both parties agree that the current figure is at 2.8 years. This shortfall is clearly a matter of significant weight. Paragraph 11 (d) of the Framework indicates that in such circumstances permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
38. The proposed dwellings would make a small contribution to housing supply and would bring minor economic benefits through additional spending and the short lived construction phase of the development. However, given the number of dwellings these benefits would be limited.
39. I acknowledge that the Council does not object to the proposal with regards to contaminated land, flood risk, drainage, ecology, trees, living conditions, energy efficiency and affordable housing. Planning conditions could also secure relevant mitigation measures where necessary. Based on the evidence before me I have no good reason to conclude otherwise. However, the absence of harm with regards to these matters are neutral factors.
40. The proposal would result in substantial harm to the significance of the NDHA through the scale of loss of two complete buildings together with harm to the setting of the remaining farmhouse. As such in the balanced judgement required in Paragraph 197 of the Framework, I conclude that the harm is unacceptable, notwithstanding the benefits suggested to me.
41. The benefits of the proposed development would be modest in my judgement. The harm caused to the character and appearance of the area and the non-designated heritage asset, highway safety, and arising from the location of the development being unsuitable would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework and the development plan taken as a whole.

Conclusion

42. For the reasons given above, the appeal is dismissed.

R Cooper

INSPECTOR