



Appeal Decision

Site visit made on 24 November 2020

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2020

Appeal Ref: APP/P4225/D/20/3257762

12 Birchinley Manor, Birchinley Lane, Milnrow OL16 3DG

- 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 A Stott against the decision of Rochdale Metropolitan Borough Council.
 - The application Ref: 20/00469/HOUS, dated 21 April 2020, was refused by notice dated 16 July 2020.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve the setting of the listed buildings associated with Birchinley Manor Farmhouse.

Reasons

3. The appeal property comprises a 2 storey dwelling constructed of stone. It also has a rear lean-to and front projections that are made of brick. It is found at the end of a short row of such properties. Whilst it has elements of a rural vernacular design, it forms one of a number of modern dwellings that were constructed as an enabling development related to the restoration of adjacent listed buildings.
4. Birchinley Manor Farmhouse lies a short distance to the west of the appeal site. It is grade II* listed and is a well-proportioned property with projecting cross wings. It is constructed of hammer dressed stone and has a graduated stone roof. Stone detailing is also found around the openings. It dates from the 17th century. On the side of the appeal site and attached to Birchinley Manor Farmhouse, there is an arrangement of stone barns that have been converted to residential use and are grade II listed. They are set out in somewhat of an elongated form and face broadly towards the side of the site.
5. The significance of these listed buildings derives from their collection and value, which centres on Birchinley Manor Farmhouse. Their traditional appearance within a countryside setting also contributes favourably to their significance. Further grade II listed buildings are found to the north of this grouping, related to Birchinley Hall Farmhouse.

6. The appeal property forms part of the grouping. With the distances in between and the effective clustering of the buildings, there is limited separation between the appeal property and the listed buildings. It falls within the setting of Birchinley Manor Farmhouse and the associated barns as it forms part of the surroundings in which these heritage assets are experienced. This is not appreciably altered by the parking areas and the boundary treatments in between.
7. The proposal would appear as a stark modern addition. In terms of its design, the walls would be largely glazed and it would have a flat black metal roof. With regard to its scale, it would extend some distance back, beyond the rear lean to element. The overhanging roof would project past the side elevation of the house. With the marked contrast with these more traditionally formed listed buildings, it would detract from the significance of their setting.
8. A Public Right of Way runs to the south of Birchinley Manor Farmhouse and the enabling development, before traversing nearby open land. This allows for views of Birchinley Manor Farmhouse and the barns with the appeal property from near in front of the farmhouse itself. It also permits views of the barns with the appeal property as the open land is crossed. Due to the scale and design of the proposal, it would be at times in view with these listed buildings. Whilst the views may only be fleeting, they would further serve to demonstrate the uncomfortable relationship between the proposal and the significance of the listed buildings.
9. The statutory duty under Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 concerning the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses is of considerable weight and importance. Having regard to the above matters, I conclude that the proposal would fail to preserve the setting of these listed buildings. This weighs considerably against the proposal.
10. Similarly, it would not comply with Policy P2 of the Council's Rochdale Adopted Core Strategy (2016), in particular where it protects the borough's heritage by conserving, enhancing and promoting key heritage assets, both statutory and non-statutory, including the consideration of their wider settings. Key heritage assets of the borough include listed buildings.
11. For the purposes of paragraph 196 of the National Planning Policy Framework (Framework), 'less than substantial' harm would arise to the significance of the designated heritage assets. This harm should be weighed against the public benefits of the proposal.
12. Matters in relation to providing additional living accommodation and dealing with the shortcomings of the existing timber windows are largely personal matters. Accordingly, the public benefits would not outweigh the 'less than substantial' harm and, as a consequence, the proposal would not accord with the Framework in relation to conserving and enhancing the historic environment.

Other Matters

13. The appellant has referred me to a recent planning permission¹ for a stable block which is relatively close to the appeal site. However, it does not alter

¹ Council ref: 19/00565/FUL

that the site forms part of the setting of the listed buildings and hence, the proposal needs to be considered accordingly. This is even with the alleged visual impact of the approved stables block. As a result, this permission has a limited bearing on my decision.

14. The site lies in the Green Belt. Both the Council and the appellant consider that as an extension or alteration of the building it would not result in disproportionate additions over and above the size of the original building. I see no reason to disagree as it would comply with the volume increase limit that is set out in the Council's Guidelines and Standards for Residential Development Supplementary Planning Document (2016). As such, the proposal would not constitute inappropriate development. However, this does not change that the proposal would not preserve the setting of the listed buildings.

Conclusion

15. For the reasons set out above and having regard to all matters that have been raised, the appeal should be dismissed.

Darren Hendley

INSPECTOR