



Appeal Decisions

Site visit made on 19 September 2023

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 2 November 2023

Appeal A Ref: APP/Q4245/W/23/3315722

Davenport Green, Roaring Gate Lane, Hale Barns, Trafford WA15 8UA

- 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 Kennedy against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 107809/HHA/22, dated 8 April 2022, was refused by notice dated 9 November 2022.
 - The development proposed is demolition of outbuilding, alterations to dwelling and construction of a single-storey rear extension.
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Appeal B Ref: APP/Q4245/Y/23/3315726

Davenport Green, Roaring Gate Lane, Hale Barns, Trafford WA15 8UA

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs Kennedy against the decision of Trafford Metropolitan Borough Council.
 - The application Ref 107810/LBC/22, dated 8 April 2022, was refused by notice dated 9 November 2022.
 - The works proposed are demolition of outbuilding, alterations to dwelling and construction of a single-storey rear extension.
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Decision

1. Both appeals are dismissed.

Preliminary Matters

2. There are two appeals on this site. They relate to the planning application and listed building consent for the same scheme. To avoid duplication, I have dealt with them together, except where otherwise indicated.
3. The appeal proposal concerns several Grade II listed buildings. In line with sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Paragraph 189 of the National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.
4. The appellant has submitted a revised scheme as part of their appeals which seeks to address the Council's concerns. The appellant has sought that I first consider the refused scheme and if I find this to be unacceptable, to consider the revised scheme as an alternative. In summary, the main changes with the alternative option include a reduction in the footprint of the proposed extension

by relocating the south side of the elevation so that the wall and overhanging roof do not project beyond the south, side elevation of the main dwelling. The roof overhang has also been reduced on the north and west elevation and connecting wall and gate to Paddy's Barn has been removed. It is accompanied by a revised design and access, and heritage statement.

5. The appeal process should not be used to evolve a scheme. It is important that what is considered by the Inspector at appeal is essentially the same scheme that was considered by the Council and by interested parties at the application stage. I note that there were no third-party representations received as part of the application process and I have had regard to the Wheatcroft Principles (Bernard Wheatcroft Ltd v SSE [1982] JPL P37).
6. The amended scheme with its revised footprint, reduced roof overhang and the removal of the connection to Paddy's Barn is substantially different in relation to the matters in dispute. I am of the view that the proposal would be so altered by the revised plans that it should come forward as part of a new application so that it can be fully assessed by all interested parties. In my judgement if I were to take the plans into account there is a risk of prejudicing those interested parties. As such, I will base my decision solely upon the plans that were before the Council when it made its decision and on which parties were consulted.

Main Issues

7. The main issues are:
 - a) Whether the proposal would preserve the Grade II listed buildings, their settings and any of the features of special architectural or historic interest that they possess, and whether any harm would be caused to their significance; (Both Appeals)
 - b) The effect of the proposal on the character and appearance of the area; (Appeal A)
 - c) Whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies; (Appeal A)
 - d) The effect of the proposal on the openness of the Green Belt; (Appeal A) and
 - e) Whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal. (Appeal A)

Reasons

8. The appeal site relates to a small group of historic buildings situated on the western side of Roaring Gate Lane within the Green Belt. There are three listed buildings within the vicinity of the proposal: Davenportgreen Farmhouse (the farmhouse), a barn to its north east and Paddy's Hut towards the rear of both buildings. The buildings are clustered around a courtyard with an access linking to Roaring Gate Lane. The remainder of the site comprises spacious, landscaped grounds including an uncovered swimming pool. The site is set within a mainly open pastoral setting and although some of the building group

is visible from the lane, views of the rear are largely well screened from the lane by the buildings and boundary details, and by mature trees and landscaping to the side and rear boundaries.

9. The proposal comprises several elements, including the demolition of a garden store and tiled roof canopy and the construction of a single storey extension to the rear of the farmhouse. A small infill extension, internal alterations and replacement windows and doors are also proposed to the farmhouse.

Listed buildings (Both Appeals)

10. The list description for Davenportgreen Farmhouse (Ref:1067885) describes the property as a one storey dwelling with an attic, dating from the 18th century, or earlier. It is of brick construction with a thatched roof and has an exposed timber truss in the south gable. It is a 3-unit baffle-entry plan with a wing to the rear which is partly 20th century. It describes the architectural detailing including the porch, dormers and casement windows of which a number have cambered brick arches. It has a projecting rear gable, and a single-storey mono-pitch slate roof connects to a small, brick garden store. This store is a simple, functional building with minimal openings and breathers arranged in a cross pattern on its southern elevation. The main elevation of the farmhouse faces towards the lane, set back behind a small front garden with a mix of boundary treatments including railings and hedging.
11. From the evidence before me, including the list description, and my own observations, I consider that the significance of the listed building, insofar as it relates to these appeals, is largely derived from the building's age and surviving historic fabric, along with its plan form and architectural detailing. Its vernacular form, using traditional construction techniques and materials, makes an important contribution in these regards.
12. The Barn (Ref: 1067884) is a two storey building of substantial scale with an L-shaped plan and is prominently sited alongside the lane. The list description mentions that it is late 18th century, constructed in English garden wall bond brick with a slate roof. It describes the arrangement of the openings, the function of spaces within the building, the internal details and the honeycomb breathers. The small outbuilding listed as Paddy's Hut (Ref:1067886) is a single storey building with loft above. The list description mentions that it was once used as Irish farm labourers' sleeping quarters. It possibly dates to the late 17th century and is of square-panel timber framing, brick nogging and slate roof. It is of a single bay and has timber framed gable walls with garage doors inserted to the front and 20th century brick sidewalls.
13. Based on the evidence before me, including the list descriptions, and my own observations, I consider that the significance of the listed outbuildings both individually and collectively, insofar as it relates to these appeals, is largely derived from their age, their plan form and function, their historic fabric and their architectural features.
14. The three listed buildings grouped around a courtyard form an historic farmstead which I would describe as having a loose farmyard plan, and together are described as having Group Value. The historic use and separate identity of each building is legible but there is also a strong visual and functional relationship between them, and each reinforces the special interest and significance of the group. The buildings are located within a rural

landscape, and this allows the historic function and interrelationship of the buildings to be appreciated and experienced from multiple directions including from the lane and within the courtyard and spacious garden area. This setting makes a positive contribution to the special interest and significance of each listed building.

15. It should be noted that list descriptions are primarily for identification purposes only and do not provide an exhaustive or complete description of the special interest of those buildings. Therefore, proposed alterations to elevations or features not mentioned in the list description do not mean that there would be no effect on the special interest/significance of these buildings.
16. Paragraph 199 of the Framework sets out that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that this should have clear and convincing justification.
17. In the context of the existing vernacular farmhouse, the proposed extension would be of a very different scale, form and massing to it. Its dominant, flat roof, horizontal emphasis and boxy form would contrast with the low eaves and steeply pitched thatched roof of the farmhouse representing a jarring and alien addition. Although the proposed extension would be connected by a lower glazed link, the roof height of the extension would appear inordinately tall against the height and scale of the farmhouse. The overhanging roof would further exacerbate the dominance of the extension, extending beyond the northern and southern gables of the farmhouse.
18. It would totally overwhelm views of the building from the west and from this direction would also obscure some views of the historic rear elevation. Currently the historic front range is the dominant visual element of the farmhouse with the later extensions being to the rear and subordinate to it. The proposed, extension would disrupt the legibility of this floorplan, introducing a large element at the rear that would visually compete with the existing building.
19. Whilst the contemporary design and use of modern materials would make the extension appear distinct, in my view, it would further exacerbate the inappropriateness of the appeal proposal and harm the building's special interest/significance. In particular, the extent of the glazing would contrast with the solid to void ratio of openings to walling on the existing farmhouse. Furthermore, its likely transparency would enable much of the normally screened trappings of domestic life to be visible from the outside, causing an additional distraction from the ability to appreciate the special interest/significance of the farmhouse.
20. Although the extension would be largely hidden from public view, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether public views are available. Equally, the significance of a listed building is not just focussed on frontages or limited to those elements mentioned in the list description. The extension would be viewed in conjunction with the farmhouse from multiple directions within the open garden setting and from the courtyard, and due to the projecting roof overhang, it would also be viewed from positions near to its frontage. Furthermore, although the proposed

extension would attach to part of the building which is a later addition, thereby minimising harm to the historic fabric, that existing extension is of a form and design which respects the building's significance, unlike the appeal proposal before me.

21. The proposed extension together with its overhang and linking wall structure would bring the farmhouse imperceptibly close to Paddy's Barn. This would harmfully erode the clear visual separation between the farmhouse and barn, a feature typical of a loose farmyard plan, as well as harm their separate identities. In this proximity, the size, scale and appearance of the proposed extension would visibly dominate and overwhelm that of Paddy's Barn and harmfully detract from its agricultural setting. The proposed extension would also be visible from the listed barn near to the lane and its encroachment towards the farm buildings, together with its incompatible scale and design, would harm the contribution that the farmstead setting makes to the significance of the listed buildings.
22. Although the evidence before me suggests that the garden store and linking roof canopy have been adapted and altered over time, it forms part of the listed building. In my view, based on what I have seen and the evidence before me, the building has a degree of significance as a 19th century outbuilding serving the farmstead and it adds to the farmstead character of the site and its legibility. The suggestions that the building is no longer on the same footprint, has been substantially rebuilt, subject to significant alterations and has lost its intended relationship with the house have not been adequately explained. I therefore do not consider that the building has been fully assessed or understood and the evidence before me does not justify its demolition.
23. Within the farmhouse, several walls and doors are to be removed or added. There is some merit in removing modern stud partitions and fitted wardrobes to return rooms to their historic proportions and to improve historic legibility. However, there is insufficient evidence before me to demonstrate that the historic floorplan and significance of the historic fabric has been fully examined and is understood to justify these changes, and to demonstrate that the building's significance is preserved. In particular, the proposed alterations to the doorways between the proposed sitting room and hall, and the demolition of walls and reduction in wall thickness to create a master suite require more investigation and justification.
24. On the first floor, the proposed subdivision of the central bay of the main range to form an art room and en-suite would subdivide a room which appears of historic proportions with significant timber framing in the walling and ceiling. It is described in the appellant's heritage statement (HS) as having an historic plan form which is not known and may have previously been subdivided. However, a lack of understanding of the building's significance and speculation about previous alterations cannot justify such changes. Moreover, the introduction of an en-suite in this area with its likely impervious finishes would potentially mask and obscure timber framing as well as affect the breathability and long-term integrity of the historic walling. There is also inadequate detail regarding services and pipe runs for the en-suite, including ventilation (as well as the other proposed bathrooms and en-suites). These details cannot be required by the imposition of conditions because the nature and scale of the works are unclear and such information may not successfully mitigate the proposal's impact on the building's special interest/significance. Overall, the

limited evidence before me does not offer sufficient clarity and robustness to conclude that this part of the proposal would not cause harm to the building's special interest/significance. Moreover, based on what I have seen, this is potentially one of the most sensitive historic spaces to change within the building and the alterations proposed would be likely to have a severely detrimental impact on the building's floorplan and historic fabric.

25. The proposed extension of the walling to the southern elevation of the farmhouse to form part of the utility room is contentious. Based on the evidence before me and my visit, I am not clear of the age of the walling which is intended to be removed. The historic mapping in the HS suggests that this may be 19th century and it also incorporates an historic door. There is therefore the potential for a loss of historic fabric. Further, the extending out of this wall to line it up with a later extension would erode the building's legibility and footprint.
26. It is suggested by the appellant that all the windows apart from one in the southern gable are 20th century replacements of no heritage value. However, I have no adequate details of these windows or information before me to assess the contribution that they make to the significance of the building. The windows therefore need to be properly evaluated and their condition assessed before a decision is taken on their replacement. Although it is intended that the replacement windows are appropriate to the character of the farmhouse, the illustrations provided of historic window designs do not appear to be local examples of similar buildings. Also, no reference has been made to the design of windows seen in the historic photos in the HS. The overall design of the favoured replacements appears, therefore, to be based on conjecture rather than being informed by the building itself.
27. The proposed replacement casements would be white painted, steel tee-bar paned with double-glazed units set in a wooden frame. However, there is no adequate drawn detail before me to understand what the replacement windows would look like to be able to judge their appropriateness. Double-glazed units also have the potential to significantly alter the construction, detail and appearance of a traditional window. Inadequate details have also been provided for the replacement doors. Therefore, the evidence before me does not offer sufficient clarity and robustness for me to be able to conclude that these elements of the proposal would not cause harm to the building's special interest/significance. Again, these details cannot be required by the imposition of conditions because these matters are central to the decision and the nature and scale of the works are unclear. Such information may not successfully mitigate the proposal's impact on the building's special interest/significance.
28. Overall, I consider that the proposal would harm the special interest/significance of these listed buildings. Therefore, the expectations of the Act are not met. Paragraph 199 of the Framework advises that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of those assets and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage assets, in the language of the Framework, would be less than substantial in this instance. This commands considerable importance and weight and is not a less than substantial objection to the proposal.

29. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.
30. The proposal would be beneficial to the appellant's living conditions, providing more space and modern, contemporary living. However, I regard this as a private rather than a public benefit. Moreover, I have been given no evidence that the continued viable use of the appeal property as a residential dwelling is dependent on this proposal, as the building has an ongoing residential use that would not cease in its absence. Nor has it been demonstrated that the proposal represents the optimum viable use of the property. The proposal would also allow a member of the family to live a more independent life and enable it to become a long-term home. Whilst this matter is considered more fully later in this decision, this wider social benefit could be regarded as a public benefit. However, it has not been demonstrated that this benefit could not be achieved by an alternative scheme which does not involve harm to designated heritage assets or convince me that the harm identified is justified. This matter therefore can only attract limited weight as a public benefit.
31. It is suggested that the scheme would retain, repair, and reinstate parts of the historic building fabric and enhance its appearance. However, whilst the conservation of a listed building can be regarded as a public benefit, the proposal would result in the demolition of the outdoor store resulting in a loss of historic fabric, and I have found that, overall, the proposal would harm both the significance of the listed farmhouse and the listed outbuildings. Furthermore, it is unclear to me what elements of the farmhouse would be repaired and reinstated or how these would be beneficial to its significance. The case for installing new windows has not been adequately made and whilst these could not be regarded as a reinstatement, based on the current details, neither could they be an enhancement. Therefore, these matters carry limited weight in favour of the appeal proposal.
32. The appellant comments that the extension would be of high-quality design, use modern construction techniques, and there is the intention to increase the energy-efficiency of the building and minimise the impact on the environment. However, these factors would be expected of any new development, and this limits the extent to which they can be regarded as public benefits. The proposal would also generate some economic benefits that would flow to the public at large but these would be modest given the extent of the works.
33. Given the above, I conclude that the public benefits identified would be of insufficient weight to outweigh the great weight to be given to the harm to the designated heritage assets. As such, the proposal would not comply with paragraph 202 of the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the designated heritage assets.
34. The scheme would therefore conflict with Policy R1 of the Trafford Core Strategy (2012) (CS) and the Council's SPD 'A Guide for Designing House Extensions and Alterations (2012) (SPD). This policy and the guidance, amongst other things, seek to protect and enhance heritage assets. There is no dispute that Policy R1 is not consistent with the Framework as it contains no reference to undertaking a balance. Therefore, the conflict with this policy has limited weight.

Character and appearance (Appeal A)

35. The site lies within an Area of Landscape Protection and is identified within the Council's Landscape Strategy SPG (2004) (SPG) as being Wooded Claylands. It is apparent that the application site reflects the pastoral landscape character attributed to this area which is marked with scattered farmsteads, and it specifically mentions farmsteads dating from the 17th and 18th centuries, timber framed buildings and some thatched roofs. The guidelines for this area require development to take account of historic features in the landscape and to complement their scale and design and use traditional building materials. Based on my findings regarding the effect of the proposal on the listed buildings and their setting, and in the absence of any evidence to the contrary regarding the visual impact on the Area of Landscape Protection, it is evident that harm would also be caused to this area of landscape protection. The proposed large, bulky extension of inappropriate design and materials associated with this historic farmstead would be clearly contrary to the development guidelines for the area.
36. Although the proposal would have limited public views, it would not negate the harm to the landscape character of the area which is so strongly expressed on this site. The appellant refers to the site's proximity to a potential future housing site which may change the character of the wider area. However, I have inadequate evidence of the status of this allocation nor evidence that it would be likely to affect the character of the appeal site or wider area. Moreover, if adjoining land was allocated for housing, then in my view this would heighten the need to robustly maintain the landscape character of adjoining areas.
37. The appeal proposal would therefore have a harmful effect on the character and appearance of the surrounding area and would not accord with CS Policies L7 and R2, which are broadly consistent with the Framework, and guidelines in the SPD and SPG. It would also not meet the high-quality design expectations of Section 12 of the Framework.

Whether Inappropriate Development (Appeal A)

38. The Government's policy for new development in the Green Belt is set out in the Framework. The aim of that policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
39. Whilst the Framework sets out that the construction of new buildings should be regarded as inappropriate development in the Green Belt, paragraph 149 lists a number of exceptions. Relevant to this proposal is exception c), 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. CS Policy R4 sets out the Council's approach to development in the Green Belt and is consistent with the requirements of the Framework; accordingly, I give it full weight in the overall planning balance.
40. The Framework does not set out what would constitute a disproportionate extension, and this is therefore a matter of planning judgement. The SPD advises that extensions which would increase the size of the dwelling to no more than 30% above the original floor space would not normally have an undue impact because of its limited extent. However, the guidance also

explains that it is not simply a matter of calculating floorspace and that the addition should not significantly alter the scale, character and appearance of the house, appear disproportionately larger or significantly increase its impact on the surrounding rural character.

41. Although the proposal would represent a negligible increase above the 30% guidance, I have already concluded that the extension would introduce a large building on the rear of the dwelling, competing with the main front range. It would be clearly viewed as altering the scale, form and appearance of the dwelling and would be visually different and dominant. Its size and the visual differences would also significantly increase the building's impact on the surrounding rural character. In my view it would clearly result in a disproportionate addition over and above the size of the original building.
42. The proposal would therefore not fall within one of the exceptions set out in paragraph 149 of the Framework. Accordingly, it would constitute inappropriate development in the Green Belt. Inappropriate development, the Framework explains is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Openness of the Green Belt (Appeal A)

43. As set out above, openness is an essential characteristic of the Green Belt. Although only of one storey, the proposal would significantly increase the footprint, size and bulk of the existing building. It would also result in the introduction of built form into a space where there is currently only the small outdoor store. Therefore, in spatial terms the development would reduce the Green Belt's openness and in my view that impact would be significant.
44. Whilst the proposed extension would be to the rear of the dwelling with limited public views, the property is set within an extensive garden area and the openness of the Green Belt is very evident within it. The proposed extension would be conspicuous within this garden area, and its dominant form and inappropriate design, jutting out from the building, would draw the eye. It would therefore also have a visual impact on the openness of the Green Belt although this effect would be lessened by the limited public views.
45. Overall, therefore, I conclude that the proposal would not preserve, and would have a harmful effect on, the openness of the Green Belt. As such it would conflict with the provisions of the Framework which seek to preserve the openness of the Green Belt.

Other considerations (Appeal A)

46. The Framework is clear that substantial weight should be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
47. I have acknowledged above the reasons why the appellant is pursuing this proposal and have taken into account the sensitive nature of the health information supplied to me as part of the appeals. The benefit to the individual and the appellant's family arising from an improvement in their living conditions is recognised, and these are personal circumstances to which I attribute weight in favour of the appeal.
48. I have had due regard to the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010, which sets out the need to eliminate

discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. I have also had regard to rights conveyed within the Human Rights Act.

49. I am also mindful of the advice contained in the Planning Practice Guidance that in general planning is concerned with land use in the public interest. Therefore, whilst I acknowledge the personal circumstances of the appellant, I have already found that it has not been demonstrated that these benefits could not be achieved by an alternative scheme which does not involve harm to designated heritage assets. This is equally applicable to the harm to the Green Belt. This matter therefore can only attract limited weight to this consideration.
50. Likewise, I have also previously discussed the suggestion that the proposal would assist in securing the future of the farmhouse by increasing and modernising the habitable accommodation within the property. However, again in this regard, I have concluded that there is insufficient evidence that this proposal is essential to secure the future of this dwelling and there may be alternative proposals which achieve the same benefits without causing the harm identified. Nor has it convinced me that the harm is justified. These matters carry limited weight.
51. Although I have already mentioned that the conservation of a listed building could be regarded as a heritage benefit, I have already considered and given my reasons for why this proposal provides little evidence that it would retain, repair or reinstate parts of the historic building fabric or enhance its appearance. Furthermore, I have found harm to the significance of the listed buildings arising from the proposal so the case for considering any heritage benefit carries little weight in favour of the appeal proposal.
52. I have also taken account of the suggestions regarding the quality of the design, the modern construction techniques, the intention to increase the energy-efficiency of the building and to minimise the impact on the environment. However, I have already noted that these factors would be expected of any new development, and this limits the weight that can be attached to them. I have also considered the modest economic benefits arising from the development which attract little weight.
53. I have reviewed the appeal decision referred to at Oxendale Hall, in the Ribble Valley Borough area. It relates to a property of very different size and character compared to the much smaller vernacular buildings before me. In this decision there was a consensus between all parties that the rear elevation was of lesser significance in heritage terms, and the evidence suggests that the proposed extension would replace part of a relatively modern extension considered to affect the legibility of the listed building. Based on the information before me, it is evident that due to the nature of this property and the very different circumstances surrounding that appeal proposal, it does not appear to be a direct comparison with the appeal scheme before me. This limits the weight I can attach to this other consideration.

Planning Balance and very special circumstances (Appeal A)

54. In summary, the proposal would constitute inappropriate development in the Green Belt which should not be approved except in very special circumstances. It would also not preserve, and would have a harmful effect on, the openness of the Green Belt. Substantial weight should be given to any harm to the Green

Belt. It would also fail to preserve the three Grade II listed buildings, their settings or any features of special architectural or historic interest which they possess, causing harm to their significance. The harm to their significance would not be sufficiently outweighed by the public benefits accruing from the proposal. It would also harm the character and appearance of the area.

55. Very special circumstances will not exist unless the harm to the Green Belt, and any other harm, is clearly outweighed by other considerations. The other considerations in this case do not clearly outweigh the harm that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. Therefore, the proposal would conflict with the provisions within the Framework which seek to protect the Green Belt and would not comply with CS Policy R4 and the SPD referred to above.
56. Having regard to my findings in respect of the harm to the three Grade II listed buildings and the Green Belt I consider that the application of the Framework's policies in relation to those heritage assets and the Green Belt provide clear reasons for refusing the proposal. Consequently, the presumption in favour of sustainable development contained in the Framework would not weigh in support of the proposal. I have also found that the proposal would conflict with CS Policies R1, R2 and L7. It would therefore conflict with the development plan when read as a whole.

Other Matters

57. The Council refers to Davenport Green Hall (Grade II listed building). As a statutory consideration, I am required to have regard to this property in determining the appeals. From the information before me, including the list description and my visit, I consider that given the location and siting of this building in relation to the appeal site, there would be very little if any intervisibility with the proposal. Moreover, I have little evidence of a functional link between the appeal site and this building. I consider that, in relation to these appeals, the appeal site cannot be treated as forming part of the setting of this listed building. As such, the proposal would have no impact on its significance/special interest.
58. The Council mentions that the site is located within a Wildlife Corridor. As I have no further information on this matter, and it has not been discussed by either party, I have not considered this any further in reaching my decision.

Conclusions

59. **Appeal A:** Whilst there would be benefits associated with the proposal, I consider that there are no material considerations, including the provisions of the Framework, of such weight to lead me to the conclusion that the proposal should be determined other than in accordance with the development plan. Therefore, for the reasons given, I conclude that that Appeal A should be dismissed.
60. **Appeal B:** For the reasons given, Appeal B should be dismissed.

G Bayliss

INSPECTOR