

Appeal Decisions

Site visit made on 2 April 2024

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 May 2024

Appeal Ref A: APP/R0660/W/23/3329492

Green Farm House, Shrigley Road, Pott Shrigley SK10 5TU

- 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 E Connor against the decision of Cheshire East Council.
 - The application Ref 22/3542M, dated 2 September 2022, was refused by notice dated 12 July 2023.
 - The development proposed is alterations and side extension to the existing dwelling following demolition of existing side extension and outbuilding.
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Appeal Ref B: APP/R0660/Y/23/3329493

Green Farm House, Shrigley Road, Pott Shrigley SK10 5TU

- 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 E Connor against the decision of Cheshire East Council.
 - The application Ref 22/3543M, dated 2 September 2022, was refused by notice dated 14 July 2023.
 - The works proposed are alterations and side extension to the existing dwelling following demolition of existing side extension and outbuilding.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matters

3. The two appeals in the banner headings above concern the same proposals at the same property under different legislation. For the sake of expediency, I have dealt with both appeals together in my reasoning.
4. On 19 December 2023, the Government released an updated version of the National Planning Policy Framework (the Framework). As the changes do not affect the consideration of the main issues of these appeals, I have not sought comments on the revisions.

Main Issues

5. The main issues are as follows:
 - For both appeals: whether the proposal would preserve the Grade II listed appeal building or any features of special architectural or historic interest which it possesses; and the effect of the proposal on the setting of an adjacent Grade II listed building.

- For Appeal A only: whether the proposal would constitute inappropriate development in the Green Belt and the effect of the proposal on the character and appearance of the area.

Reasons

Listed Building (both appeals)

Special Interest and Significance

6. Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The listing description¹ for the barn gives the name of the building as 'Green Farmhouse' ('the farmhouse'). It is Grade II listed and evidently dates from the 17th Century with a storey added in 1748 and other alterations in the 19th Century. The building is constructed from coursed square sandstone with a tiled roof.
7. From all that I have seen and read, the special interest and significance of the farmhouse is derived predominantly from its architectural and historic interest. Historic interest is predominantly derived from its age and being a fine example of a modest 17/18th century farmhouse and its associations with the agrarian context within which it sits. Its architectural interest is mainly taken from its simple form and proportions, traditional materials, surviving historic fabric, vernacular character and detailing such as the raised stone quoins and plain lintels. Internally there is further interest from the remaining plan form and historic fabric, such as the 18th century stone fireplace and ceiling beams, which are referenced in the listing description.
8. The farmhouse forms part of a larger group of farm buildings and is attached to one other building. The Grade II listed 'Corn Barn 40 Metres South of Green Farmhouse'² ('the corn barn') is located on the other side of this intervening building. Therefore, there is further significance drawn from the group association as part of a former farmstead.
9. The corn barn dates from the 17th century and was likely built contemporaneously with the farmhouse. Its special interest and significance is mainly derived from its historic and architectural interests. Historic interest is drawn from its age and association with the agricultural heritage of the area. There is also architectural interest derived from its simple form, surviving historic fabric and traditional construction. I note the appellant's heritage statement³ concurs that the barn has high evidential and historic value with medium aesthetic value. The rural locale and group value attributed to the cluster of farm buildings therefore means the setting of the barn makes a substantial contribution to its significance.

Effects of Proposal

10. The appeal building includes an existing single storey extension which evidently dates from 2007 and is built from matching stone to that of the main house and a lean-to roof. There is also an adjacent outbuilding built of red brick which

¹ List Entry Number: 1231944

² List Entry Number: 1277231

³ Paul Butler Associates, 31 August 2022

is evidently redundant but includes the electricity meter and water pump for the farmhouse.

11. To facilitate the proposal, the existing extension would be removed and replaced with a wider and higher extension with a pitched roof including rooflights and a dormer window. The extension would be constructed predominantly of matching coursed sandstone with a green zinc façade to the west elevation and roof. It would also include a stone wall which would form part of the west elevation and project past that side of the extension to form a boundary feature. The adjacent outbuilding would be removed.
12. The proposed extension would be of comparable width and depth to the host property. I note that the scheme was amended prior to refusal of permission/consent to lower the overall height and reduce floor space. As a result, its ridge would fall below the eaves of the main building which results in a more subordinate height. However, in terms of the depth and width of the extension, it would constitute a large and domineering addition to the classically proportioned and modest farmhouse.
13. Moreover, while I understand that modern materials such as zinc can be integrated successfully in heritage design generally speaking, and that it is used in modern agricultural buildings such as elsewhere in the farmstead, in this case the coverage of much of the west elevation of the extension would jar with the traditional materials and features evident on the same elevation of the host property. Although this is referred to as the rear elevation, it faces the adjacent access track which is a right of way and one that I observed on the site visit is well used by walkers. As such this would be of particular prominence in the area. The installation of bi-folding doors to the east elevation would be an overtly modern feature and would jar with the more traditional proportions of the doors and windows of the main building.
14. While the west facing slope of the proposed extension roof is free of interventions, the east elevation features two rooflights to one side and a dormer to the other which is a somewhat fussy arrangement. Alongside the proposed rooflights in the main dwelling, this would lead to a proliferation of additional fenestration which would appear at odds with the more restrained and simple spread across the existing farmhouse. Moreover, dormer windows did not appear to be a common feature of roofs in the immediate area. This harm would be compounded by the wrapping of the dormer in the aforementioned green zinc cladding.
15. Moreover, the projecting metal feature around the bi-fold doors would extend beyond the building line of the farmhouse while the incorporation of stone water tabling on the roof of the extension would impart an unwarranted importance to the addition. These elements of the scheme would be an incongruous and uncomfortable mix of styles while undermining the primacy of the listed building.
16. Turning to the corn barn, I have a statutory duty to pay special regard to the desirability of preserving the setting of the listed building. I agree that intervisibility between the barn and extension would be limited, given the elevation upon which the extension would be built faces away from the barn. However, a lack of visibility does not equate to an absence of harm or a neutral impact, despite the use of some suitable materials, and this is not the only consideration of impacts to the special interest or significance of a listed

building which are safeguarded for their inherent architectural and historic interest.

17. I have concluded that the proposal would harm the historic interest and significance of the listed farmhouse. Given the contribution that the setting of the barn makes to its significance, and the location of the farmhouse within this setting, it follows that this would also lead to harm to its setting, while this would also lessen the positive contribution it makes to the group of buildings.
18. The proposal also includes other alterations to the main farmhouse, including replacement timber-framed double-glazed windows, doors, rainwater goods, a lightwell and new window to the proposed basement, internal rearrangement of rooms and general refurbishment of the interior. The Council has specified that it does not take issue with these elements of the scheme. There is very limited information on these elements before me on the submitted plans, such as how they would be fixed and what subsequent impacts there may be on historic features of the property. If I was allowing the appeal, further details may have been acceptable to secure by condition but as I am dismissing, I have not sought these.
19. For the above reasons, I therefore conclude that the proposal would fail to preserve the Grade II listed building or any features of special architectural or historic interest which it possesses while also harming the setting of the corn barn. This would be contrary to the requirements of sections 16(2) and 66(1) of the Act.
20. The proposal would also be contrary to policies HER4, GEN1, SD1 and SD2 of the Cheshire East Local Plan Site Allocations and Development Policies Document (DPD) (adopted December 2022) and policies SE1 and SE7 of the Cheshire East Local Plan Strategy 2010 – 2030 (LP) (adopted July 2017). These seek, among other things, to ensure special regard is had to the desirability of preserving the building, its setting and any features of special architectural or historic interest that it possesses.

Public Benefits and Heritage Balance

21. Paragraph 205 of the Framework states 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.
22. I have found in this instance that the proposal would harm the significance of the farmhouse and setting of the corn barn. I agree that the magnitude of harm would be less than substantial due to the nature and scope of the works, although this level of harm would apply to both assets in turn. I note the appellant agrees with this in their statement⁴. Having found harm to designated heritage assets, I must give this considerable importance and weight.
23. Paragraph 208 advises that in the case of 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 optimum viable use.
24. There would be some limited benefit from the renovation of the property, which I observed at the site visit requires updating and would lead to improvements

⁴ Seymour Planning (September 2023): Paragraph 7.52.

to the local housing stock as the appellant points out. However, given the nature and scope of the proposal any benefits in this regard would be modest and not, as the appellant contends, significant. Moreover, while the property is currently vacant, there is no substantive evidence that the works are required to secure the optimum viable use of the building. I agree that the interior was in a state of disrepair at the time of my visit and clearly would benefit from being updated, but it did not appear to require urgent intervention to secure its use as there seems no risk of this being lost based on all that I have seen and read.

25. The removal of the existing outbuilding, which is of poor construction and built from red brick rather than vernacular stone, is considered to be of some benefit to the setting of both the listed farmhouse and barn. The ability to move services from the outbuilding into the property could also contribute some benefit, although it is unclear why the extension is necessary for this to occur. These considerations are worthy of limited weight in favour of the scheme.
26. The removal of the existing extension could be seen as a heritage benefit in an of itself, although I disagree with the extent of the harm it is considered to cause the host building at present. Its lean-to roof is incongruent, but it is otherwise built from matching stone and is of a subservient size to the main dwelling. However, given my findings on the replacement structure, the replacement of a harmful structure with something that is also harmful would not weigh in favour of the scheme.
27. Overall, as the appellant's heritage statement also concludes at paragraph 8.32, the public benefits are limited predominantly because this is a private dwelling. Although the same section of the statement concludes that this 'minor harm' is outweighed by the benefits, I must assign this harm considerable importance and weight.
28. I understand that the Council's Conservation Officer did not object to the scheme and that pre-application discussions were undertaken with said officer. However, the comments provided confirm that they did conclude the proposal would cause harm but did not balance this against the benefits of the scheme. Benefits were not considered to outweigh the harm in the balance carried out by the planning officer. Regardless of procedural issues, it is incumbent on me to form my own views and I have carried out this balance based on the evidence before me and my own observations. Based on this, while I agree the proposal would bring forth some benefits, these would not outweigh the harm, which is given considerable importance and weight in the planning balance.
29. Accordingly, the proposal would not preserve the listed building, or any features of special architectural or historic interest which it possesses, or the setting of a nearby listed building. As such, it would not satisfy the requirements of sections 16(2) and 66(1) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.

Whether Inappropriate Development in the Green Belt – Appeal A

30. Subject to the exceptions listed in Paragraphs 154 and 155, the Framework makes clear that the construction of new buildings should be regarded as inappropriate in the Green Belt. The proposal before me was assessed under the exception given in paragraph 154(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. Policy PG3(3)(iii) of the LP largely repeats the wording of paragraph 154(c).

31. Policy RUR 11 of the DPD relates to rural buildings outside of settlement boundaries and closely follows the guidance in the Framework, although it does state that when considering whether a proposal represents disproportionate additions, matters including height, bulk, form, siting and design will be taken into account, with particular attention given to increases in the overall building height. Moreover, RUR 11 also advises that proposals will usually be considered to represent disproportionate additions where they increase the size of the original building by more than 30% in the Green Belt and that the increase in size will usually be determined by assessing the net increase in floorspace.
32. I am presented with vastly different calculations relating to the increased floorspace of the building by the main parties. The appellant argues that the increase in floor space set against the original building, i.e. how it was on 1 July 1948, is 30.4%. This includes the removal of the existing outbuilding. However, the Council advises the increased floor space is 78.6%, although I note this calculation includes a whole first floor rather than the mezzanine indicated on the proposed floor plan⁵ and the floor space of the second floor of the host building, which is not part of the extension.
33. The appellant also advises that in terms of a volumetric increase, which would be more in line with the approach in the Framework, would be 27.3%. The Council has not provided a calculation of increased volume as this is not required by policy RUR 11.
34. There is no guarantee that the extension would be altered after permission was granted to include a whole first floor rather than simply a mezzanine, while the second floor of the main dwelling is part of the existing footprint of the property. I have taken the size increase as it is presented to me on the clarification plan⁶. Notwithstanding my assessment of the extension on the significance of the listed building, based on the evidence before me, when taken together the appellant's figures of floor space and volume increases would not constitute a disproportionate addition to the building in the green belt.
35. For the above reasons the development would meet the exception set out in paragraph 154(c) of the Framework and would not be inappropriate development in the Green Belt. This would be consistent with the aims and objectives of Green Belt guidance in the Framework as well as policies PG3 of the LP and RUR 11 of the DPD.
36. Given my finding that the proposal is not inappropriate development in the green belt, it follows that very special circumstances are not necessary to justify the scheme in that regard.

Character and Appearance – Appeal A

37. The appeal site is located off a private access track within a rural area which is formed of expanses of agricultural fields, sporadic built form, rolling hills and narrow country roads. This gives the local area a strong rural character. The host building is part of a farmstead and given the predominant features of the

⁵ Proposed Plans: Drawing Number 887/202 Issue D

⁶ Analysis: Drawing

area, the appeal property contributes positively to the rural character and appearance of the area.

38. The appeal proposal would be built of similar materials to the host property, albeit with an expanse of green zinc to the roof and elevation facing the access track. I have already determined that the proposal would be harmful to the significance of the listed farmhouse due to its size in terms of its width and depth, materials and design features such as the spread of fenestration and dormer roof window. The location of the extension adjacent the access track, which is clearly a popular walking route, would also make the proposal prominent in the immediate location. As such, it follows that given the positive contribution of the building to the area, the harmful effects of the scheme would harm the character and appearance of the area.
39. This would be contrary to policies SD1, SD2 and SE1 of the LP and policies GEN1 and RUR11 of the DPD. These seek, among other things, to ensure proposals make a positive contribution to their surroundings, including ensuring sensitivity of design in proximity to designated and local heritage assets and their settings. The proposal would also be contrary to the aims of the Framework which advises through paragraph 135 that developments should be sympathetic to local character and history, including the surrounding built environment and landscape setting.

Other Matters

40. Although I acknowledge the letter in support of the proposal from an interested party, as made clear in the preceding paragraphs I disagree that the proposal would lead to an improvement of the property. As such this has not been determinative in my assessment of the appeals before me.

Conclusion – Both Appeals

41. I have found that the proposed development would fail to preserve the listed building and the setting of an adjacent listed building. In the parlance of the Framework, the harm to the significance of the designated heritage assets would be less than substantial, but still of considerable importance and weight, which I find would not be outweighed by public benefits. I have also found further harm to the character and appearance of the area.
42. Conversely, I have concluded based on the evidence before me that the proposal would not represent inappropriate development in the Green Belt. This is based on the calculations provided to me and my own observations on the site visit based on the site-specific circumstances. However, this is a neutral factor and does not outweigh the harm I have found with regards to the other main issues identified in this report.
43. Accordingly, for the reasons given, I conclude that both appeals A and B should be dismissed.

C McDonagh

INSPECTOR