



Appeal Decision

Site visit made on 14 June 2023

by E Worthington BA (Hons) MTP MUED MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 17th July 2023

Appeal Ref: APP/G4240/Y/22/3310803

**2 Moor Cottages, School Lane, Carrbrook, Tameside, Stalybridge,
SK15 3NT**

- 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 Ian Doran against the decision of Tameside Metropolitan Borough Council.
 - The application Ref 22/00084/LBC, dated 1 February 2022, was refused by notice dated 13 May 2022.
 - The works proposed are described as 'Proposed demolition of existing single story lean too building with construction of replacement garage to allow neighbouring property to have private access to the courtyard/rear door and the installation of a set of timber French style doors in existing window opening to form fire exit from kitchen.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. As the works relate to a listed building, I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The proposed door opening set out in the description of works above was removed from the proposed works during the Council's consideration of the application. I confirm that I have also considered the proposed works on this basis.

Main Issue

4. The main issue is the effect of the proposed works on the Grade II listed buildings, Numbers 1, 2 and 3 and Moorgate Farmhouse and adjoining barn and shippin, School Lane (Ref: 1309369) and the Stable Wing adjoining the north east of Moorgate House (Ref: 1068019).

Reasons

The listed buildings

5. The listed building at Moorgate Farmhouse incorporates the farmhouse, two cottages and the adjoining shippin (cattle shed) and barn. The building dates to the late 17th century with 18th century additions and is built in stone with stone slate roofs on an extensive L shaped footprint.
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6. Despite its later additions and alterations, for the most part the building maintains its historic character, scale and proportions as well as some remaining elements of its historic fabric and traditional architectural features. Thus, its historic character is still legible. It maintains an attractive rural appearance and charm which tells of its former association with agriculture.
7. The stable wing adjoins the farmhouse to its north east side and is also listed in its own right. It is an early/mid 18th century former stable building built in squared rubble and dressed stone with stone slate roof. It incorporates the barn, shippon and house all in one range and has a later single storey addition to its rear. The listing description indicates that it is listed for its group value.
8. There is a direct relationship between the two buildings and a cohesiveness to this tight group of attractive rural buildings. Thus, the two heritage assets have a shared significance. From the evidence before me, insofar as it relates to this appeal, I therefore find that the special interest of both the farmhouse and the stable wing is drawn from their simple scale and functional design, use of traditional materials, and modest proportions which attest to their function as buildings associated with farming within a rural area.
9. The settings of these buildings, and the contribution they make to the significance of those assets, in so far as they relate to this appeal, is derived from the rich historic character of the rural surroundings, its traditional functional buildings and the spaces around and between them.
10. The National Planning Policy Framework (the Framework) defines setting as the surroundings in which a heritage asset is experienced. The stable wing is attached to the farmhouse, and together they form a closely related and consolidated grouping of former agricultural buildings. The settings of both the farmhouse and the stable wing, and the contribution these make to their shared significance, in so far as it relates to this appeal, is mainly derived from the buildings' rural surroundings, their close visual and functional relationship with each other, and their historic character as described above.
11. The appeal site takes in No 2, a mid-terrace stone cottage and its rear garden area which includes a lean to garage and a driveway. The appeal property itself is part of the listed building at the farmhouse, but its garage is attached to the rear wall of the listed building at the stable wing. Thus, the appeal property and its associated outdoor areas and garage, has a close and direct visual and functional relationship with the stable wing. Similarly, the stable wing to which the garage is attached, also has a direct and functional relationship with the farmhouse (which the cottage at No 2 forms a part). This being so, the appeal site overall contributes to the settings of both these listed buildings. I have had special regard to this matter in considering the appeal.

The proposed works

12. No 2's existing garage is to be removed. The appellant indicates that a more recent brick wall has been built between this and the rear of the stable wing such that the garage is self-supporting. I am also mindful that the existing garage has no physical link or opening into the stable wing and is only accessed externally via No 2's garden area. Nevertheless, in practical terms it is attached to the southern rear wall of the stable wing building and therefore forms part of that listed building.

13. That said, despite its traditional lean to design the garage is an obviously later addition that has been tacked on to the stable wing's rear elevation with little regard to that building. Whilst its materials are broadly consistent with the other traditional buildings in the group, it is of a crude and basic construction. It has a corrugated sheet roof and appears to be constructed of re-used stone and brick with timber double doors to the front elevation. The appellant estimates it dates to the mid to late 20th century and the Council does not dispute this. This being so, the somewhat ramshackle structure has no real physical, functional or visual connection with the stable wing which faces out westwards into a courtyard area associated with the farmhouse.
14. Taking all these factors into account, I am satisfied that the existing garage is of no special architectural or historic interest or importance. It makes no positive contribution to the significance of the listed building to which it is attached, or to the significance of the neighbouring listed building which takes in the farmhouse and the cottages (including the appeal property). Thus, I am content that no harm would arise to either of the listed buildings as a result of its removal.
15. Nevertheless, the proposed works also include a replacement garage/store. This would be constructed in broadly the same location as the existing lean to structure in the rear courtyard of No 2, and to the rear of the stable wing. It would measure some 3.85 metres by 6 metres with a maximum height of 3.8 metres, and would be set off the rear wall of the stable wing by some 1.2 metres (in order to provide access to the rear of the neighbouring property).
16. It would be much larger than the existing garage, with a truncated L shaped layout. It would also have a hipped roof with a rear dormer facing south towards No 2. There would be a domestic scale door and window to the rear elevation and another domestic scale door to the front elevation. Whilst it would not be attached to the stable wing, it would introduce a significant and prominent structure to the site. Its considerable bulk would take up much of the width of the open area to the rear of No 2 and would dominate the rear courtyard/garden area there. Despite its use of matching materials, the detached building would have a contrived and awkward layout, overtly modern design and overwhelmingly domestic character and features.
17. Due to these factors, I find that the proposed garage/store would be appreciated as a substantial, over-dominant and incongruous modern addition to the appeal site that would appear directly at odds with the simple traditional rural form and character of the farmhouse/cottages and the associated stable wing. In introducing unsympathetic works within the settings of both the listed buildings, the proposed works would unacceptably detract from the rural nature and traditional character of the grouping and diminish the contribution of the settings of those buildings to their significance. Thus, the proposed works would fail to preserve the settings of the listed buildings. In doing so they would undermine the authenticity and importance of those assets as traditional rural buildings and impair the ability to appreciate their historic legibility.
18. I therefore conclude on the main issue that the proposed works would be harmful to the significance of the two listed buildings. I give this harm considerable importance and weight in the balance of this appeal.

19. The Framework advises at paragraph 199 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 200 advises that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. I consider that the harm to the listed building in this case would be less than substantial, but nevertheless of considerable importance and weight.
20. Paragraph 202 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. No public benefits are put forward by the appellant.
21. I therefore find that the public benefits in this case are insufficient to outweigh the harm to the designated heritages asset that I have identified. For these reasons the works would fail to satisfy the requirements of the Act and paragraph 197 of the Framework. Whilst the decision notice refers to policies in the Tameside Unitary Development Plan, I am mindful that listed building appeals are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and so do not need to be determined in accordance with the development plan.

Other Matters

22. The appellant indicates that the Conservation Officer did not visit the site to assess the impact of the proposed works. However, I confirm that I have considered the proposed works on their own merits, visited the site and made my own assessment as to their potential impact.
23. The appeal site is within the Carbrook Conservation Area and the Green Belt. The impact of the works on the Conservation Area and/or the Green Belt are not reasons for refusal, and I have seen no objections from the Council in these respects. Nevertheless, this does not alter my view as to the impact of the works on the listed buildings.
24. The appellant indicates that the Council granted planning permission for the appeal scheme under reference 22/00083/FUL on 13 May 2022. No further details relating to this decision or a response from the Council are before me. Accordingly, I find that this is not a reason to allow works which I have found to be harmful.

Conclusion

25. For the reasons set out above, and having regard to all the other matters raised, I conclude that the appeal should be dismissed.

E Worthington

INSPECTOR