



Appeal Decision

Site visit made on 3 July 2023

by **L Hughes BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 August 2023

Appeal Ref: APP/T2350/W/23/3318179

Woodfold Park Farm, Woodfold Park, Mellor BB2 7QA

- 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 Shokat Dalal against the decision of Ribble Valley Borough Council.
 - The application Ref 3/2022/0623, dated 30 June 2022, was refused by notice dated 11 January 2023.
 - The development proposed is the conversion of former stud farm stables to form part of residential dwelling and extensions to existing property.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for an award of costs was made by Mr Shokat Dalal against Ribble Valley Borough Council. This is the subject of a separate Decision.

Preliminary Matters

3. A revised plan reference 21.168.011H shows reduced windows sizes on the stable block. As this is a minor amendment, and the Council has had chance to comment, I have accepted this plan as part of the proposal.

Main Issues

4. The main issues are:
 - whether the development would be inappropriate development in the Green Belt, including the effect on the openness of the Green Belt, having regard to the National Planning Policy Framework (2021) ('the Framework') and any relevant development plan policies;
 - the effect of the development on the character and appearance of the host property and the area, including on the setting of the Historic Park; and
 - 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 necessary to justify the proposal.

Reasons

Green Belt

5. The appeal site lies within Woodfold Park, a Grade II Registered Park and Garden, and is designated as Green Belt. It comprises a former stud farm with an associated dwelling.

6. The Framework identifies at paragraph 137 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Framework at paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The 'Core Strategy 2008-2028 A Local Plan for Ribble Valley' (the CS) (2014), Policy EN1 broadly takes the same approach to Green Belt as in the Framework, by maintaining its overall extent, and setting out the broad circumstances which would allow for development of new buildings.
7. The Framework establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraph 149. That relevant under paragraph 149c) is 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. The Framework and the development plan do not define 'disproportionate additions' or specify acceptable percentage increases. An assessment of whether a proposal would amount to a disproportionate addition is therefore a matter of planning judgement.
8. The main parties disagree over the size of the proposed volume increase, as the Council includes the stables due to its opinion that the combined proposed alterations to the walls and roof structure go beyond that of a conversion. While I do not fully agree with this view, it is a matter of judgement. However, even if I were to accept the appellant's figure of 16.5% volume increase, this is a moderate increase against the original building.
9. The appellant's assertions and example appeal decision that extensions much larger than this have been approved in the Green Belt, are not determinative, as I do not have detailed information before me to allow comparison of factors such as the position of those sites within the landscape. The assessment of Green Belt impact necessarily depends on a range of specific site circumstances.
10. Furthermore, a calculation does not solely determine whether an extension would be disproportionate. As such, I find that alongside the height increase, the joining together of the property's separate buildings into one large and cumulatively massed form would be a significant and impactful difference. Overall the proposal would result in a disproportionate addition. Consequently, it would not meet the exception under paragraph 149c) of the Framework.
11. Paragraph 150 of the Framework also establishes that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The stables conversion would fall under paragraph 150d), being the reuse of buildings, provided that the buildings are of permanent and substantial construction. Based on the evidence before me I agree with the main parties that the existing buildings are of such construction.
12. Openness is an essential characteristic of the Green Belt, that has spatial as well as visual aspects. Spatially, the conversion could only be viewed in combination with its extended elements, including that they would have a shared roof, which therefore cannot be disassociated from the conversion in isolation. Notwithstanding that some of this would incorporate glazing, both

spatially and visually the conversion of the stables would create more massing through its roof form and extended width.

13. Visually, the openness of the Green Belt is extremely evident around the property, at both close range and in long range views. Furthermore, the site is clearly visible from a range of viewpoints, despite some bunding and tree screening. In drawing together my findings on spatial and visual impact, I therefore find that the proposal as assessed against paragraph 150d) would result in moderate harm to openness.
14. Beyond this impact on openness assessed under paragraph 150d), I must also assess the impact on openness of the extension elements of the scheme. The proposal would create particularly significant additional massing at first floor level of both sides of the main building. Along with the single storey amendments including the link to the existing garage, it is clear that the increased volume would have a spatial impact on openness, and also a visual impact which would be noticeable not just at close range.
15. For these reasons, the appeal proposal would be inappropriate development in the Green Belt which is, by definition, harmful. It would therefore conflict with the CS Policy EN1, and Section 13 of the Framework. I give this harm substantial weight.

Character and Appearance

16. The use of flat roofing and high levels of glazing for the linkage sections does act to part limit the built form and create subservience. This materiality would overall not be out of place on a property of this size and style, and taking into account the intended internal function of these spaces. The character of the existing building including its materiality is not so closely tied into the wider character of the historic setting of the park, that these proposed amendments would create harm in this regard. However, the introduction of the large glazed windows in place of the current garage doors would, in combination with the adjacent glazed link, create an inharmonious and incongruous element to the frontage view.
17. The massing of the first floor extensions would be significant and would not be subservient to the original property. While the appellant suggests that they would provide for a better proportions and re-balance the existing asymmetrical elevations, the outcome would still be asymmetrical.
18. The appeal site is within the setting of Woodfold Park, which as a Registered Park and Garden does not have statutory protection, but is a designated heritage asset such that Section 16 of the Framework requires that great weight should be given to its conservation. I also have a statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the impact of the proposal on the special architectural and historic interest of listed buildings and their settings. Within the Park these comprise Woodfold Hall, The Orangery, Mellor Lodge, and Middle Lodge, all being Grade II listed.
19. Woodfold Park's significance is as a park laid out in the 1790s to accompany Woodfold Hall as its focal country house. The Hall's significance is still apparent through its siting within this setting, which used the strong natural topography to frame the views of and from the Hall. The historic long driveway approach

along the valley bottom is identified by the Lancashire Gardens Trust as one of the county's finest approaches in true Georgian landscape style. It travels to the Hall past Mellor Lodge and Middle Lodge, with their significance being their original role and placement within this wider setting, as well as their historic architecture. The Orangery lies close to Woodfold Hall, originally acting as its supporting hot house, and again with its significance being this relationship and its form. The character varies throughout the park and includes areas of forest, rural fields, landscaping, and the formality of the properties and gardens.

20. Due to the separation distance between the appeal site and the listed buildings, as well as the screening vegetation, the proposal would not have a direct visual impact on their setting. However, the first floor is currently in view over the brow of the hill from the Park's historic driveway. The proposal would substantially increase this first floor massing, and at relatively close range. As a building already lying outside of the main historical and visual context, the proposal would therefore affect and somewhat dominate this experiential relationship of the Hall within the Park, and reduce its prominence. There would also be increased juxtaposition of the appeal dwelling against the clear views of Middle Lodge from this position, including a contrast with its traditional materiality. The lack of a public view does not equate to a lack of harm.
21. Furthermore, the cumulatively larger dwelling would be visible from a large extent of the hillside on the other side of the valley, diminishing in comparison the significance and scale of Woodfold Hall, and thus affecting the Park's character. The absence of objections from interested parties including from Historic England does not indicate that no harm would be caused.
22. Overall therefore, the proposed development would harm the character and appearance of the host property and the area. It would also give rise to less than substantial harm to the setting of the Historic Park, to which I attach considerable importance and weight. The proposed development would conflict with the CS Policies DMG1, DMH5, EN5 and DME4, and would also conflict with the Framework Chapters 12 and 16. Together these aim to achieve well designed places, and for development to be of a high standard of building design and consider the landscape character. They also require the significance of heritage assets to be preserved or enhanced, and specifically do not support proposals which cause harm to or loss of significance to registered parks.
23. Although one of the decision notice reasons for refusal states that the proposal would be contrary to the CS Policy DMH4 as it would not be tantamount to a conversion, DMH4 refers to the conversion of buildings to dwellings. The proposal would not create a new dwelling, and I therefore find that this policy would not directly apply.

Other Considerations

24. The appellant suggests that the previous consents also approved in the context of the Registered Park and listed buildings, including for a larger scale horse training facility, indicates that the site's location was deemed acceptable for much more major development than that now proposed. However, the proposed extensions would have a cumulative effect. Furthermore, the historic acceptance for the original development was under a very different context and justification to that now before me. The Council's deliberations in 2003 and 2006 are therefore not determinative as to the principle of the proposed development.

25. The appellant suggests a fallback position on the basis of a scheme of works currently before the Council, for prior approval under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO). In summary these works comprise a part single and part first floor rear extension to the main building, a single storey side link to the garage, and a single storey detached building to the rear of the garden to host a swimming pool¹. These rights are not curtailed by the location within the Registered Park or the Green Belt.
26. While I do not have certainty that this proposal would comply with the GPDO requirements, I find some form of a similar proposal to be a reasonable fallback position. However, it would have an overall lower scale and height than the appeal proposal, and would therefore have a lesser visual impact. Although the appellant suggests that the fallback would have a greater volume increase, and I note that it would close off the remaining open side of the garden, the bulk of its massing would not be as apparent in that of the appeal scheme. Therefore, the fallback would have less impact on the Green Belt and on the character and appearance of the area and the Registered Park, such that it does not weigh in favour of allowing the appeal.
27. Moreover, in the event that I were to allow this appeal on the basis of a fallback scheme being more harmful, part of that fallback scheme could be implemented in any case prior to the appeal scheme commencing. This is because the restriction on permitted development rights which I could impose via condition would not take effect until the appeal development had commenced. It is therefore not appropriate to take account of an either/or situation in assessing the fallback.
28. The proposal would provide limited economic benefits resulting from construction, which I give limited weight. As I have found that harm would arise from the proposal, the investment is not a public benefit to the park nor works which would conserve the asset of the wider landscape. The provision of additional and better arranged accommodation for the dwelling's occupants is a private benefit, and so one which I give only very limited weight.
29. The dwelling is tied by planning condition to the continued management of the land that forms a large part of the Registered Park. However, no evidence has been submitted to identify how this would be directly linked to the appeal proposal such as to provide a direct benefit. In the context of the above, this therefore is of neutral weight.

Planning Balance

30. In summary, as a disproportionate addition and due to its effects on openness, the proposal would be inappropriate development in the Green Belt in the terms set out by the Framework. It would also cause harm in respect of effects on character and appearance. Furthermore, no public benefits have been identified which would outweigh the less than substantial harm which would be caused to the designated heritage asset.
31. The Framework requires that substantial weight should be given to any harm to the Green Belt, and that inappropriate development should not be approved except in very special circumstances. It goes on to explain that very special

¹ Reference 3/2023/0436

circumstances will not exist unless the harm to the Green Belt and any other harm is clearly outweighed by other considerations.

32. Against the totality of the harm I have identified, the other considerations advanced by the appellant are not sufficient, either individually or cumulatively, to clearly outweigh the harm to the Green Belt. Consequently, the very special circumstances necessary to justify the development do not exist. The proposal would thus conflict with the Framework, and the CS Policies DMG1, DMH5, EN1, EN5, and DME4.

Conclusion

33. In conclusion therefore, the proposal would be contrary to the development plan and the Framework taken as a whole. With no other material considerations indicating otherwise, for the reasons given above I conclude that the appeal is dismissed.

L Hughes

INSPECTOR