
Appeal Decisions

Site visit made on 12 December 2022

by S Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 December 2022

Appeal A: APP/B4215/W/22/3301586

The Stables, Wilmslow Road, Manchester M20 5PG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Dharmesh Bhayani of Europium World UK Ltd against Manchester City Council.
 - The application Ref 133055/FO/2022, is dated 20 April 2022.
 - The development proposed is installation of air handling equipment at roof level in concealed valley gutter structure. Addition of new conservation rooflight to inner slope of concealed valley structure to provide access to equipment for servicing and routine maintenance.
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Appeal B: APP/B4215/Y/22/3301573

The Stables, Wilmslow Road, Manchester M20 5PG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Dharmesh Bhayani of Europium World UK Ltd against Manchester City Council.
 - The application Ref 132890/LO/2022 is dated 20 April 2022.
 - The works proposed are installation of air handling equipment at roof level in concealed valley gutter structure. Addition of new conservation rooflight to inner slope of concealed valley structure to provide access to equipment for servicing and routine maintenance.
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Decisions

1. Appeal A: The appeal is dismissed and planning permission is refused.
2. Appeal B: The appeal is dismissed and listed building consent is refused.

Preliminary Matter

3. The Council did not make a decision on the above applications within the prescribed time period. However, the Council subsequently resolved that planning permission and listed building consent would have been refused for reasons set out in its Statement of Case, upon which the appellant has had the opportunity to comment. I have dealt with the appeals on that basis.

Main Issue

4. The Stables is a Grade II listed building. Sections 16 (2) and 66 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) sets out that in considering whether to grant listed building consent for any works to a listed building and planning permission for development which affects a listed building, special regard should be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest the building possesses.
5. The main issue in this case is therefore whether the proposal would preserve the special interest, or significance, of the listed building.

Reasons

6. The building, dating from the late 18th or early 19th century, was originally a coach house and stable block. The 'L' shaped building is two storeys high with a 3-bay, symmetrically designed main range flanked by gabled wings. To the centre of the south wing is an archway leading to a courtyard.
7. Part of the upper floor of the building was destroyed by fire some time ago and this element was re-built in 2000 to replicate the design and form of the original building. The rebuilding incorporated some new materials including new roof trusses and new insulation although externally it appears that the replacement was carried out sympathetically on a like for like basis. The roof of the main range incorporates a concealed double pitched structure with a valley gutter. It is proposed to erect a steel platform within the valley to support a series of 7 condenser units associated with a new air conditioning system, and a rooflight to allow access. No specific objection has been raised to the rooflight in itself and I have no reason to disagree although it must be considered in the context of the proposal as a whole.
8. The stables were once associated with Parrs Wood House, itself a Grade II* listed building now in use as part of Parrs Wood High School and sixth form. The two buildings stood within extensive landscaped parkland. The setting of these buildings has changed significantly in recent times including with the construction of a 4-storey hotel and associated car parking immediately adjacent to the stable building, and a sizeable entertainments complex and school also within the original parkland grounds. The presence of these buildings has had a negative effect on the legibility of the historic association between the house and stables. Nevertheless, the stable building is a notable feature in its present surroundings largely because of its age and relatively small scale. The building, clearly recognisable as a late Georgian stable block, indicates how the site was once used and therefore has both historic and evidential value. In addition, the form and appearance of the building is similar to what it would have been at the time of its construction and accordingly, as set out in the Heritage Statement, it has a high aesthetic value. These matters make a significant contribution to the special architectural and historic interest of the building.
9. The proposed air conditioning units would not been seen from ground level, being concealed by the existing structure although there is no analysis before me as to whether they would be seen from the upper floor windows of the adjacent hotel. Notwithstanding this, listed buildings are listed for their inherent qualities, irrespective of whether they can be seen or not. The

proposed steel structure and air conditioning units would be an incongruous feature on a building of late 18th century origin. In addition to that their form, colour and appearance would be wholly at odds with that of the roof, a matter exacerbated by the number of units proposed.

10. The steel frame would be fixed to the roof trusses by way of steel posts. Details of the fixings and methodology are limited and in this respect I cannot satisfactorily assess the impact of the intervention on the appearance or significance of the building. Whilst that intervention would be made into non original fabric, that fabric is nevertheless part of the listed building and currently makes a positive contribution to it.
11. Accordingly, taking these matters together, the proposal would cause harm to the significance of the listed building as set out above.
12. In terms of the approach set out in the National Planning Policy Framework (the Framework), because the works would affect only one part of the building, the harm to the significance of the listed building would be less than substantial. This is not disputed by the main parties. The Framework requires that any harm should require clear and convincing justification and in cases where it would result in less than substantial harm, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
13. The proposal is sought to provide temperature regulation within the building particularly during the summer months although there is no technical evidence before me on this matter. However, even if the proposal represents a more efficient means of temperature regulation over the existing arrangements, I am unconvinced that without it the use of the building for offices is unviable given it has been used as such for almost 20 years. There is no convincing evidence before me that the existing air conditioning measures have made it difficult to attract and retain high quality staff or has otherwise adversely affected the current or previous business operations. Accordingly, I am unconvinced that the proposal is required to secure the ongoing use of the building such that it could be seen as a public benefit of the scheme. As such, the public benefit of the proposal is limited.
14. Furthermore, it seems to me that even if a new air conditioning scheme was required to secure the future use of the building, consideration of alternative schemes suitable for listed buildings do not appear to have been fully considered by both main parties and accordingly I cannot be certain that a similar benefit could not be achieved from a less harmful proposal. Accordingly the justification for the proposal, as required by the Framework, is not clear or convincing.
15. I acknowledge that a previous permission for air conditioning units in a similar position was granted in 2006¹ albeit prior to the introduction of the Framework and the Council's Core Strategy in 2012. That permission was not implemented and cannot therefore be considered as a fallback position. I do not know the circumstances of that case or the evidence available at that time on which a decision was made. Accordingly, the previous decision carries limited weight in my considerations.

¹ Application Refs: 077800/FO/2005/S2 and 077809/LO/2005/S2

16. The appellant contends that the harm to the significance of the heritage asset lies at the lower end of less than substantial harm. However, the Framework does not require an assessment against a spectrum of harm and the harm I have identified carries considerable importance and weight. As such, on the basis of the evidence before me, the public benefits of the proposal do not outweigh the harm to the significance of the asset.
17. Given the above I conclude that the proposal would fail to satisfy the weighty requirements of the Act and the requirements of the Framework set out in Chapter 16, and would conflict with Policy EN3 of the adopted Manchester Core Strategy 2012-27 and saved Policy DC19.1 of the Unitary Development Plan, which seek in various ways to ensure that new development is designed to preserve listed buildings. As a result, the proposal would not be in accordance with the development plan. There are no other material considerations which indicate that permission should be granted.
18. As such, taking into account all other matters raised, the appeals are dismissed and planning permission and listed building consent are refused.

S Ashworth

INSPECTOR