

Planning Statement

For Elle R Leisure Ltd | 24-452

Extensions and alterations - Wolstenholme Hall, Edenfield Road, Norden, Rochdale,
OL12 7TT

Project: 24-452
Site Address: Wolstenholme Hall, Edenfield Road, Norden, Rochdale, OL12 7TT
Client: Elle R Leisure Ltd
Date: 11 October 2024
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Appendices

- EP1.** Plan of car parking at Albert's, Standish
- EP2.** 2 Phoside View, Chapel Road, Hayfield (APP/H1033/W/23/3330649)
- EP3.** Assessment of car park location alternatives
- EP4.** 1929 site plan



1. Executive summary

- 1.1 This statement has been prepared in support of a planning application submitted on behalf of Elle R Leisure for the proposed demolition of existing extensions, the construction of new extensions to the existing restaurant, an internal access road and the creation of additional car parking and associated works at Wolstenholme Hall, Edenfield Road, Norden, Rochdale.
- 1.2 This application is a revision of planning permission 22/00597/FUL which was approved on 27th January 2023 for the demolition of existing extensions and the constructions of new extensions together with the creation of additional parking. The submission of the application follows planning application 23/00621/FUL which was withdrawn in February 2024 and a pre-application submission made in March 2024, full details of which are set out in Section 4. The pre-application response concluded that the submission was a significant improvement on the withdrawn scheme and asked that the following points are considered further.
- Overspill car park – The number of car parking spaces proposed is justified in Section 10. Additional planting/soft landscaping is included around the overspill car park, particularly to its southern elevation.
 - Front extension/canopy – additional structural information is enclosed with regard to this.
 - Front extension balcony – large scale details are submitted as part of the application and ensure that this element is as lightweight as possible.
 - Discounted options –an assessment of design evolution and the discounted options are provided as part of the heritage statement/justification.
- 1.3 The proposal comprises the demolition of existing incongruous extensions and the construction of new extensions to provide a bar, restaurant, function room and private dining venue. The accommodation would be reconfigured internally and refurbished to a high quality. An extension of the existing car park is proposed to the south.
- 1.4 The approved application proposed a total floorspace of 2,090 sqm. The current application proposes a total floorspace of 1,778 sqm, which is smaller than the approved scheme.
- 1.5 The additional overflow car parking is reduced from the approved scheme and would comprise the provision of a grasscrete surface to an existing area of hardstanding in a location that has historically been used for car parking but has in recent years grassed over. The new access road to serve the drop off for the function room, is now drawn extremely tightly to the building ensuring that there is no greater impact on openness.



1.6 In approving planning permission 22/00597/FUL, the local planning authority concluded that the proposed extensions would not be inappropriate development in the Green Belt and would comply with policy in the development plan. The proposed extensions are considerably smaller than the approved scheme and the same conclusion therefore applies. The design of the extensions has been revised considerably in response to comments received from officers. The revised proposals would also remove the intrusive extensions and better reveal the original building than the existing. Demolishing these unsympathetic extensions and replacing them with high quality, functional extensions would be an enhancement to the original façade of the building. The improvement to the visual appearance and condition of the site would constitute a significant benefit.

1.7 The application is accompanied by an updated heritage statement and impact assessment which concludes that:

“The proposals are consistent with the objectives as set out in local planning policy in terms of demonstrably preserving and enhancing the special architectural, artistic, historic and archaeological significance of a non-designated heritage asset.

Whilst this document contends that the proposals are not causative of harm to the building’s significance, it is acknowledged to be a subjective opinion and, on that basis, it is further contended that any perceived harm is decisively outweighed by the benefits of the proposals when considering the contribution of the building’s ongoing viability and importance as a local heritage asset.”

1.8 In terms of the car park, the local planning authority concluded that the development would be inappropriate development in the Green Belt but that there were very special circumstances to outweigh the harm. The planning considerations that together comprised very special circumstances are summarised as follows:

- **Securing a viable future for the building** – the building has now been empty for some time and has been subject to vandalism and theft. The need to secure the future of the site and the heritage asset is becoming more and more urgent.
- **The need for the car park and access road** – the size of the car park is consistent with other sites operated by Albert’s and reflects the council’s parking standards, without this there would be an under provision of spaces.
- **An assessment of alternatives** demonstrating this is the most appropriate location for the car park.
- **Securing and enhancing the significance of the heritage asset**
- **Contribution to the local economy** – the anticipated investment in the site including site acquisition costs is estimate at £5-6 million with the creation of 80 jobs plus the attraction of visitors to Rochdale and linked trips with tourist facilities.



- **The historic use of the site** in that there has been built form on the car park site for many years including a car park between around 1992 and 2003 with the land being used as a helicopter landing pad in more recent years.

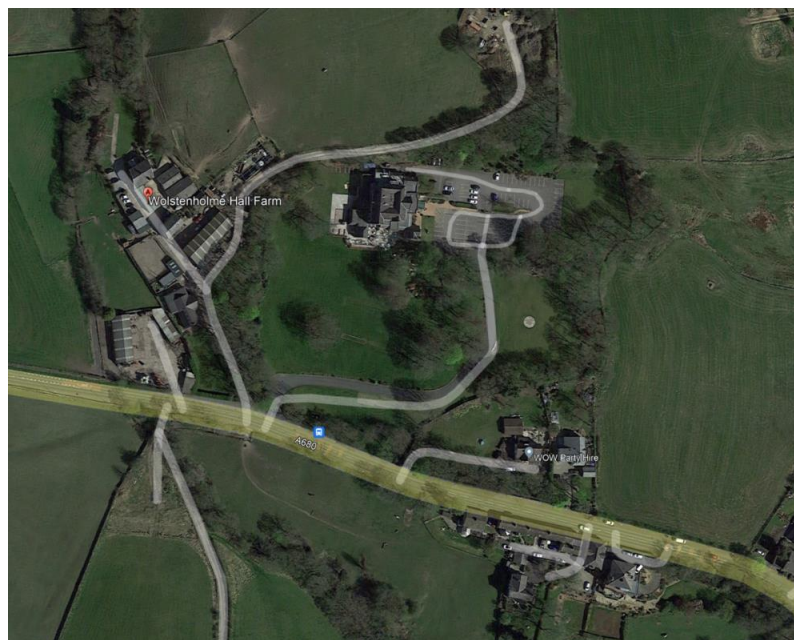
1.9 Again, there has been no change in these circumstances and it is considered that very special circumstances exist to outweigh the perceived harm to openness in respect of the car park and access road.



2. Context

Site location and description

- 2.1 The site extends to approximately 0.8 hectares and is situated in the Green Belt to the north of the A680 and to the north west of Norden. The site consists of Wolstenholme Hall and its curtilage and comprises previously developed land.
- 2.2 Wolstenholme Hall was built in 1850 by George Goodwin of Staffordshire as a gothic style private home. The main Hall is set over three storeys and is constructed of Staffordshire brick with a blue slate roof.
- 2.3 It is understood to have been used as a hospital from around 1920 until the late 1970s. It was then used as a nightclub until 1988. The building stood vacant for 4 years before being purchased by Whitbread for a restaurant. In 2003, it was purchased by Rodney Nutter and its use continued as a restaurant and events venue until 2021.
- 2.4 The area of the site proposed for the additional carparking is on the site of the helicopter landing pad. The helicopter landing pad has been on site since at least 2013 according to Google Aerial photographs and can be seen on the aerial photograph below:



3. Relevant planning history

3.1 Relevant planning history is summarised in the table below:

	Proposal	Decision	Decision Date
23/00621/FUL	Erection of extensions on front and side elevations, alterations to entrances and fenestration and extension to raised terrace, formation of new internal access road and overspill car park and other associated works following demolition of existing extensions to front and side elevations (resubmission of 22/00597/FUL)	Withdrawn	19 th February 2024
22/00597/FUL	Erection of extensions to side elevations, alterations to fenestration on existing front elevation at first floor, new raised terrace area to front, formation of overspill car park and other associated works following demolition of existing extensions to front and side elevations	Granted with conditions	27 th January 2023
05/D45272	Single storey rearextension to restaurant	Granted with conditions	10/06/2005
04/D443773	Single storey sideextension to restaurant	Withdrawn	14/12/2004
88/D22117	Refurbishment and Extensions	Granted with conditions	18/08/1988
87/D21030	Change of use from Licenced Premises to Nursing/Rest Home	Granted with conditions	05/11/1987



87/D21029	Two storey extension	Granted with conditions	05/11/1987
83/D14881	Single storey side extension	Granted with conditions	17/03/1983
80/D11010	Toilets and Beer Storein connection with conversion to licencedclub, public bars and restaurant	Granted with conditions	10/07/1980
80/D10888	O/A – Residential Development	Refused	22/09/1980
80/D11160	Extension to premises to form Terrace Bar and Public Rooms	Granted with conditions	22/09/1980
80/D11257	Alterations and extensions to premises	Granted with conditions	22/09/1980
79/D08013	O/A Residential Development – 12 Detached Dwellings	Refused	18/06/1979
79/D08169	Conversion of former hospital into restaurant and disco with 26 bedroom residential accommodation including swimming pool and 4 squash courts	Granted with conditions	18/06/1979



4. Consultation and background

2021

- 4.1 Prior to the submission of planning application 22/00597/FUL, a pre-application enquiry was submitted in September 2021 for demolition of existing extensions and construction of new extensions at the site (reference PREAPP/00137/21). No objections were raised to the principle of development.

2023

- 4.2 Due to uncertain and changing market conditions since the grant of planning permission for the approved extensions (22/00597/FUL) on 27th January 2023, the applicant considered it necessary to reduce the scale of the extensions and rationalize the internal layout to enable the building to continue to offer both the restaurant and function facilities and bring this vacant building back into good use without the need for the larger extensions proposed by application 22/00597/FUL.
- 4.3 Emery Planning contacted the planning officer regarding a revised scheme in 2023 and the potential for entering into a Planning Performance Agreement which would have included a pre-application submission. The local planning authority initially suggested that it would be agreeable to this but then did not respond. Given time pressures, planning application 23/00621/FUL was submitted.

2024

- 4.4 Following a meeting with the planning officer and conservation officer with regard to application 23/00621/FUL on 22 January 2024, it was agreed that the application would be withdrawn and a revised scheme would be subject to pre-application discussions reflecting the discussions that took place at the meeting. A formal pre-application submission (ref: PREAPP/00026/24) was made on 8th March 2023 which proposed the following amendments:

- The previously proposed access road was removed from the scheme. There is a need for a drop off facility for the function room but this is now proposed to be accessed from the south west corner of the car park and would run directly in front of the terrace within the existing grass embankment.
- The design of the extension to accommodate the feature staircase has been amended to include a steeply pitched roof to reflect the existing roof. Again, the staircase is an essential feature of the proposals and is key to the viability of the business.
- The winter garden structure remains. This element of the proposal involves the demolition of the extension to the south and east and its replacement with a single storey, glazed winter



garden structure that wraps around the south east corner of the original house. The glazed extension allows the south and east elevation to the original house to be revealed and be considerably more visible than the existing arrangement. This would be an enhancement to the building.

- The number of car parking spaces in the overspill car park would be reduced by 8 as agreed at our meeting to bring the proposals in line with the local planning authority's standards.

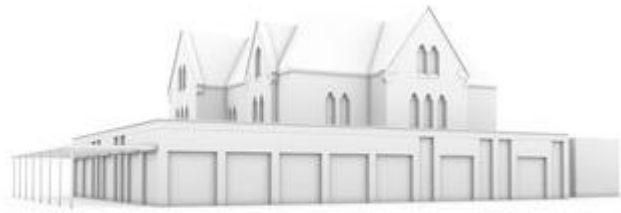
4.5 A virtual pre-application meeting was held on 5th June 2024 and following this, further revisions were made and submitted to address the points raised at the meeting. This comprised:

- A slate roof on the rear extension to accommodate the staircase.
- The overspill car park reduced in size and layout to 58 spaces.
- 3D views of the proposed glazed canopy/winter garden to demonstrate the visibility of the existing façade retained at ground floor. The views show the retractable glass balustrades both open and closed.

4.6 The response also explained that a smaller extension to the west, which had been suggested by officers, would not work in functional terms. The restaurant and bar need to be adjacent to each other and in the same space, the restaurant also requires the kitchen space to serve it. The extension needs to accommodate all of these areas. A smaller extension would lead to an unacceptable level of fragmentation and therefore an option has not been developed for this.

4.7 Further information showing previously discounted scheme was submitted on 24th June 2024. The first 9 design iterations were based on the principle of keeping the restaurant and function rooms within the existing building and removing much of the ground floor structure in order to replicate the open plan feel created in the other Albert's restaurants. This worked from an operational perspective and 3D modelling was instructed as shown below:





- 4.8 The 3D modelling resulted in this approach being abandoned as the design team felt the original building was lost within a sea of ground floor extensions. At that point the focus moved on to building the restaurant extension on the side of the original building (version 10 onwards). It is a version of this later approach which ultimately was granted planning permission.
- 4.9 This scheme proved too costly to build and the applicant was forced to go back to trying to keep all the facilities in the original building but trying to avoid the obvious architectural flaws in the first 9 versions. We consider this is achieved by the current proposals in 2 ways; first, by retaining more of the original ground floor structure (and accepting that the layout of the new restaurant would be less open plan than the other Albert's restaurants), and second, by reducing the extent of the extensions required. The only way to reduce the size of the extensions was to have better flexibility in the use of the floorspace within the extensions. Using a glazed extension with drop balustrades, would enable the space to be used as both an outdoor space in the summer and indoor space in the winter. The combined effect of using a light weight flexible extension enables the original building to be visible as well as providing the necessary space to make the scheme viable.
- 4.10 A pre-application response was received on 9th July 2024 which stated:

“As we discussed in the meeting, the proposals submitted are considered to be a significant improvement on those proposed under withdrawn application (23/00621/FUL). We also discussed improvements that could be made to the overspill car park and the proposed materials for the staircase extension. Concerns were also still raised about the position and structure of the front extension.

Of the additional information received I have the following comments:

- Overspill car park – The reduction in the number of car parking spaces is welcomed. The number of spaces proposed should be justified against green belt policy (as you know, we previously determined that this car park would result in a loss of openness). I also recommend looking at additional



planting/soft landscaping around the overspill car park, particularly to its southern elevation. This could off-set some of the harm and also provide additional screening to the adjacent residential properties.

- Material change to the side extension – The change to blue/grey slate is welcomed. In the event of approval, a sample will be required through condition.
- Front extension/canopy – This looks relatively lightweight and is more sympathetic to the building than the existing structure. It would however still be preferable if this could be located to the side elevation. In the meeting we requested that additional information structural information be submitted. It is recommended that this be provided at planning application stage.
- Front extension balcony – There are still concerns over the balcony as this would appear as a more substantial structure and would sit awkwardly with the canopy. It is recommended that this element be omitted from any future application. If you wish to proceed with the balcony it is recommended that large scale details are submitted as part of the application so that we can ensure that this element is as lightweight as possible.
- Discounted options – It is helpful to see the discounted options and it is recommended that these be included (probably as a condensed version) as part of the heritage statement/justification for the front extension on any future application.

On the whole, the current submission is a significant improvement on the withdrawn application. Some additional information will be required with any future application, particularly in respect of the front extension/canopy and the proposals should be fully justified in the form of Green Belt and Heritage Statements”.



5. The application

- 5.1 The application proposes the demolition of existing extensions, the construction of new extensions to the existing restaurant, an internal access road and the creation of additional car parking.
- 5.2 The Design and Access Statement accompanying this application explains that the proposed scheme comprises the demolition of part of the ground floor extensions primarily to the principal and west elevations and the replacement of these with a new single storey, glazed, winter garden extension together with associated terracing and external works.
- 5.3 As with the approved scheme, the application also proposes additional parking to the south of the existing car park. This land was previously utilised as an overflow car park prior to Nutters operating from the site. The area had grassed over but the hardcore is present on site. The additional car parking area would be sensitively created using a grasscrete surface with no formal car park layout. The proposed overflow car park would be ancillary to the primary use of the site as a bar, restaurant, function room and private dining venue. The size of the proposed overflow car park has been reduced to reflect the amended scheme.
- 5.4 A new internal access road is provided which would provide a dedicated drop-off and pick-up point for the function room for use by the bride. The internal access road would tightly follow the existing hardstanding to the south of the existing building.
- 5.5 The proposals are on a substantially reduced footprint to that approved in January 2023 primarily due to the restaurant and bar areas being moved within the existing building and the number and capacity of the private function spaces being reduced. The scheme has also been revised to address the pre-application response of July 2024 as follows:
- A justification of the overspill car park is provided in Section 10 of this report. Additional soft landscaping is shown on the landscape plan prepared by DEP particularly to the southern end of the car park to provide further screening.
 - Additional structural information is provided by Brennan Consult to show how the front extension/canopy will be constructed and that this would be lightweight in nature.
 - Discounted options are summarised in accompanying heritage statement and impact assessment.



6. Policy context

- 6.1 Section 38 of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development plan context

- 6.2 The development plan comprises the Places for Everyone Joint Development Plan (March 2024), the Rochdale Core Strategy (October 2016) and the saved policies of the Rochdale Unitary Development Plan (June 2006). The site is situated in the Green Belt to the North West of the defined settlement boundary of Norden as shown on the extract from the proposals map below:



- 6.3 The following policies of the Places for Everyone Joint Development Plan (PfE) are relevant:

- JP-S1: Sustainable Development
- JP-G8: A Net Enhancement of Biodiversity and Geodiversity
- JP-G9: The Green Belt
- JP-P2: Heritage
- JP-C8: Transport Requirements of New Development



6.4 Relevant policies from the Core Strategy comprise:

- E2: Increasing jobs and prosperity
- E5: Encouraging the visitor economy
- E6: Supporting and diversifying the rural economy
- P1: Improving image
- P2: Protecting and enhancing character, landscape and heritage
- P3: Improving design of new development
- G4: Protecting Green Belt
- G7: Increasing the value of biodiversity and geodiversity
- G9: Reducing the impact of pollution, contamination and land instability
- T2: Improving access
- DM1: General Development Requirements

6.5 Relevant policies from the UDP comprise:

- G/D/2: Green Belt
- D/4: Control of development in the Green Belt

Other material considerations

National Planning Policy Framework (the Framework) (2023)

6.6 The Framework states that there is a presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with the development plan without delay.

6.7 Key sections of the Framework are:

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving well-designed places
- 13. Protecting Green Belt land



7. Green Belt considerations

Extensions: appropriateness of development

7.1 The committee report for planning application 22/00597/FUL concluded that:

“...the LPA are satisfied that the proposed development would not result in a ‘disproportionate addition’ over and above the size of the building as it existed on 1st July 1948. As such the extensions to the building would fall within the exception to inappropriate development as identified in paragraph 149 c) of the NPPF”¹

7.2 A summary of the relevant floor space for the original building, the existing building and the proposed extensions is provided in the tables below. These figures have been provided by the applicant’s architect and are internal measurements. Please note that the figures for the original building are an estimate as accurate floorplans are not available.

	Floor space	% Increase above original building
Original dwelling (main Hall and hospital wing)	2,392 m ²	N/A
Existing building	1,726 m ²	-28%
Extensions approved by planning permission 22/00597/FUL	2,090 m ²	-13%
Application proposals	1,778 m ²	-26%

7.3 As can be seen from the table above, the proposed extensions would result in a 26% decrease in floor space when compared to the original building. Given the scale and reduction of the floor space proposed there would be no adverse impact on the openness of the Green Belt.

7.4 The proposal would not result in a disproportionate addition to the original building and is therefore not inappropriate development in the Green Belt.

¹ Now paragraph 154 c) (December 2023 Framework)



Car park and access road: appropriateness of development

- 7.5 Paragraph 155 of the Framework states that certain other forms of development are also not inappropriate development in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include engineering operations.
- 7.6 In this case, the proposal involves providing a new tarmac internal access road which runs tightly against the existing hardstanding and a grasscrete surface to an existing area of hardstanding to be used for car parking. This area has historically been used for car parking but has in recent years grassed over, i.e. an engineering operation. The below extract from a 2003 map shows a defined outline of the area historically used for additional parking.



- 7.7 There is no change of use involved as the access road and proposed car park is within the curtilage of Wolstenholme Hall (although this could be appropriate development in any event). The car parking is an integral part of an application for the proposed alterations to Wolstenholme Hall in order to bring the building back into good use. It is considered therefore that a requirement for a Green Belt location can be demonstrated.
- 7.8 The proposal is one that falls within the categories listed in paragraph 155 of the Framework and can comprise appropriate development provided it preserves openness and does not conflict with the purposes of including land within the Green Belt.

Impact on openness of the Green Belt

- 7.9 There is no definition set out through policy or law as to what openness should comprise, and there is no standard methodology as to assessing impact.
- 7.10 As derived from the judgments in *Turner* and *Eurogarages*, the word “openness” is open-textured and a number of factors are capable of being relevant when it comes to applying it to the particular facts of a specific case. Prominent among these will be factors relevant to how built up the Green Belt is now, and how built up the Green Belt would be if redevelopment occurs (in the context of which, volumetric matters may be a material concern, but are by no means the only one) and factors relevant to the visual impact on the aspect of openness which the Green Belt presents. The decision-maker must consider whether there is ‘harm’ (not merely change) to the openness of the Green Belt.
- 7.11 The PPG at paragraph 64-001 advises that:

“Openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume.”

- 7.12 An assessment of the spatial and visual impacts is provided below:

Spatial impact

- 7.13 In terms of spatial impact, there is no volume created as a result of the proposed access road and car park and there would be no loss of openness in this regard.

Visual impact

- 7.14 In terms of visual impact, it is necessary to look specifically at this site and how it fits into its wider context. The site forms part of a previously developed site and is situated within a group of buildings to the south, west and north.
- 7.15 The proposed new access road would tightly follow the hardstanding to the front of the Hall.
- 7.16 There would be no material alteration to the profile of the land or any change in levels by providing a grasscrete finish to an area previously used as car parking and laid to hardstanding. The existing topographical survey of the land (drawing reference S23175-T) showing the existing levels and the proposed overspill car park levels plan (366 PD 5003 A2) showing the proposed site levels are enclosed with the application and confirm that there is no change in levels proposed.
- 7.17 The landscape plan prepared by DEP Landscape Architecture (001 Rev 0B) shows that the surface of the car park would be grasscrete, which would be seeded in the circulation space and filled with decorative gravel in the car parking spaces. The proposed finish would be rural in character and consistent with its



proposed use as an overflow car park. The landscape plan also shows the existing trees to be retained and a woodland hedge planting mix around the perimeter of the car park within which the acoustic fence would be screened. There would be no extension into the Green Belt beyond the existing defined curtilage and the site is screened by vegetation.

- 7.18 The site has historically been used for car parking. Although it is accepted that it has grassed over in recent years, the hardstanding still remains below the surface. We would caveat that this is not presented as a fallback position but simply a matter of historical fact and context (there is no suggestion from the applicant that permission is not required). It is correct to say that vehicles associated with Wolstenholme Hall could park on the grass without the need for planning permission, however this is not presented as a fallback position.
- 7.19 This part of the site was last used for helicopter landing and parking in connection with the Hall and the pad has been on site since at least 2013 based on aerial photographs.
- 7.20 The additional car parking would be overflow parking. It is the furthest distance from the Hall and it is only likely to be used once the main car park adjacent to the Hall is full. The extent of the use of this area would be less intensive than the main car park. This is reflected in the proposed material i.e. grasscrete rather than formal hardstanding. Any 'urbanizing' effect of vehicles parking on the land will be much less frequent and intensive than the main car park.
- 7.21 In terms of lights and noise, we would reiterate that this is an overflow parking area which would be used much less frequently than the main car park resulting in a reduction in use of lights and noise in comparison with the main car park. It was also last used, and has a lawful use, as helicopter landing pad which would have also resulted in an 'urbanising effect' through lights and noise. It is accepted that there is no planning history for the helicopter landing pad. However, the helicopter landing pad is clearly visible on historic Google Earth images dating from 2013. As the helicopter landing pad was ancillary to the primary use of the site, the relevant time period for enforcement action would be 4 years for operational development prior to April 2024. The absence of a Lawful Development Certificate or planning permission does not mean that the development is not lawful. The historic aerial photographs provide sufficient evidence for this to be a material consideration in the determination of the application. We provide the aerials from 2013 and 2018 below.





Google Earth image 5.4.2013



Google Earth image 19.4.2018

- 7.22 Having regard to the context of the site, the above considerations and relevant case law, it is considered that the proposal maintains the openness of the area.
- 7.23 Referring back to the fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open and to protect the countryside, it is not considered that harm would be caused to the five purposes of including land within the Green Belt as set out at paragraph 143 of the Framework:

- To check the unrestricted sprawl of large built-up areas – the proposal would have no impact in this regard.
- To prevent neighbouring towns merging into one another – the proposal would not cause or contribute to the merging of any towns.
- To assist in safeguarding the countryside from encroachment – the proposal would be contained within the curtilage of the previously developed site and there would be no encroachment into the countryside.
- To preserve the setting and special character of historic towns – there would be no impact on the setting and special character of historic towns.
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land - there would be no harm caused to urban regeneration initiatives elsewhere. Furthermore, the proposal is an integral part of a proposal to bring a vacant site back into good use.

7.24 In summary, we conclude that the proposal would not have a greater impact on the openness of the Green Belt than the existing. There would be no harm to the purposes of including land within the Green Belt and the proposal would not be inappropriate development in the Green Belt.

7.25 However, should the local planning authority conclude as they did in respect of the approved scheme that there would be an adverse impact on openness, then there are other considerations that should be afforded significant weight in the decision making process and together comprise very special circumstances. These essentially remain the same as the approved scheme and are set out in Section 10 below. Before assessing the very special circumstances, we assess the other planning considerations to ascertain whether there is any other harm to appraise in the Green Belt balance.



8. Heritage

8.1 Wolstenholme Hall is identified as a non-designated heritage asset. The key consideration from a heritage perspective is the impact on the setting of the asset. Paragraph 209 of the Framework goes on to state that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset..”

8.2 An updated Heritage Statement and Impact Assessment prepared by Dickinson Waugh Conservation accompanies the application and makes the following key points:

- Wolstenholme Hall’s most significant historic interest lies in its association with a prominent member of the local and wider community and its communal value as a substantial and widely regarded local building and landmark (paragraph 5.2.2).
- Overall, the building is of medium significance, whilst the additions are of low to neutral or intrusive value (paragraph 6.3).
- The extensions and alterations are not considered to be causative of harm in terms of impact on the building’s architectural interest and its setting is preserved and merely changed by the proposals (10.4.7)
- The landscaping and external works would not impact on any elements of historic significance. The proposals open the front of the building up and would serve to improve its setting when viewed from the public realm and the access road (paragraph 10.5.2).
- The internal alterations, on balance, cannot be considered harmful. Their purpose of providing the building with a commercially viable future contributes to its ongoing presence, maintaining its architectural interest (paragraph 10.6.2).

8.3 In summarising the impact, it stated at paragraphs 11.5 and 11.6 that:

“The proposals are consistent with the objectives as set out in local planning policy in terms of demonstrably preserving and enhancing the special architectural, artistic, historic and archaeological significance of a non-designated heritage asset.

Whilst this document contends that the proposals are not causative of harm to the building’s significance, it is acknowledged to be a subjective opinion and, on that basis, it is further contended that any perceived harm is decisively outweighed by the benefits of the proposals when considering the contribution of the building’s ongoing viability and importance as a local heritage asset.”



8.4 In respect of the approved scheme, the committee report states:

“The Conservation Officer concludes that the level of harm caused to the significance of the non-designated heritage asset would be minor. When assessing this level of harm against guidance in the NPPF it is recognised that there must be a balanced judgement regarding the scale of this harm or loss and the significance of the heritage asset.

On balance, given the enhancement to the building that would be accrued through the removal of the extensions at the site and the benefits that would be brought through continued use of the site as a restaurant, it is not considered that the level of harm to the non-designated heritage asset would be significant enough to warrant a refusal. As such, subject to conditions requiring details of materials, it is considered that the two extensions to the building are acceptable in terms of visual amenity and heritage.”

8.5 In summary, having regard to the Core Strategy, Policy P2 strives to protect the borough’s heritage through conserving, enhancing and utilising other non-statutory heritage assets of local interest, be they buildings, parks, gardens or archaeological sites, including promoting their sensitive restoration. The proposals would comply with Policy P2.



9. Other planning considerations

Archaeology

- 9.1 A Desk Based Assessment carried out by Archeological Research Services Ltd has been submitted in support of the proposals. It has found that the building has *“evidential and illustrative value in the understanding the individual evolution, decline and development from the former Wolstenholme Hall to its current manifestation during the late-19th to 20th centuries”*. Overall, it has been assessed that any above ground hidden or surviving below ground archaeological assets would be of local and regional significance.
- 9.2 The report concludes that the development may have an impact upon hidden or unrecorded heritage assets relating to the former Wolstenholme Hall through demolition and groundworks. However, it is considered that there is a low archaeological potential for surviving below-ground foundations for vernacular buildings, landscaped features or former field boundaries relating to the 19th century agricultural land use to be still present.
- 9.3 It is finally recommended that level 2 to 3 Historic Building Recording be undertaken to record original features relating to the former Wolstenholme Hall and to determine and analyse the different phases which the hall has manifested. Further recommendations for an intra-demolition structural watch brief and archaeological monitoring are also included in order to record any hidden architectural fabric or surviving below ground features, if present. We consider that this could be an informative on the planning permission, as was the case with the earlier permission.

Drainage and flood risk

- 9.4 The application site lies within Flood Zone 1 and is not considered to be at risk of flooding.
- 9.5 Surface water will be discharged through the reuse of the existing connection to the combined water sewer. To dispose of foul water, a new foul water drainage network is to be constructed around the restaurant building and outfall to the existing combined water drainage serving the current site, and outfalling to the combined water sewer. No objection was raised in respect of drainage for the approved scheme and this matter can be dealt with by condition.



Noise

- 9.6 Wolstenholme Hall has operated as a restaurant for over 20 years and was previously a night club, therefore the existing noise levels have been long established and are not considered to affect the amenity of the surrounding residential properties. The site is in a rural location with a small number of residential properties in the vicinity.
- 9.7 An updated Noise Impact Assessment has been provided with the application which has assessed four key areas:
- Amplified music noise breaking out of the proposed site
 - Patron noise in the external areas
 - Background music within the external patron areas
 - Noise from fixed external plant equipment
- 9.8 The noise emissions from the development have been assessed against the specified acoustic design criteria and a noise mitigation scheme has been provided. The report recommends an action plan in order to achieve the lowest observed adverse effect level.

Highways

Car parking

- 9.9 It is proposed to provide additional parking for approximately 58 vehicles south of the existing car park (previously 67 as part of the approved scheme), on an area of the site historically used as overflow car parking.
- 9.10 Overall, including the existing parking space the proposal would include 133 parking spaces, of which 3 are disabled spaces (a reduction of 8 spaces from the approved scheme). There are also 8 cycle spaces and 2 motorcycle spaces. The proposed car park is screened by trees to the north, south and east, with access from the drive to the west.
- 9.11 Highways Services did not consider that there were any undue highway safety concerns associated with the approved scheme and the same conclusion should be reached in respect of this revised scheme.

Access

- 9.12 A secondary drive is proposed to the west of the site to serve the function rooms during weddings or other events which may require private access to the venue for brides or key guests.



- 9.13 The proposed drive would broadly follow the route of the original access to the Hall and would be accessed from the existing access track. It will therefore not impact upon the existing access arrangements from Edenfield Road.

Ecology

- 9.14 A Preliminary Ecological Assessment and Biodiversity Net Gain Assessment has been carried out by Sevenoaks Environmental Consultancy Ltd. This states that the development will largely impact existing built areas. In terms of impacts on protected species, the buildings were assessed as having a moderate potential to support a bat roost and a bat licence would be required. No other protected species were found on site.
- 9.15 In terms of Biodiversity Net Gain, the assessment demonstrates that the proposed enhancements will produce a 10.94% net gain in habitat units and a 39.47% gain in hedgerow units which meets the required target.

Trees

- 9.16 Most of the trees within the site will be retained, however the Arboricultural Survey prepared by DEP Landscape Architecture recommends a number of trees to be removed, with the majority in very poor condition and some affected by the proposal being within Root Protection Areas (RPAs). The report outlines mitigation measures, such as hand excavation and root pruning for some of the affected RPAs. Overall, the report finds that “this development has minimal impact on surrounding trees and there is plenty of opportunity to mitigate any losses and improve the tree population as a whole”.

Ground conditions

- 9.17 The submitted Phase I Site Investigation or Preliminary Risk Assessment prepared by Groundtech Consulting has found *low* risk to human health and controlled waters. The risk from ground gases has been identified as *moderate to high* and basic radon precautions are required within the proposed development.
- 9.18 With regard to coal mining, there is low risk from recorded mine workings and entries, however there is potential for unrecorded shallow and mine entries, for which the risk is *moderate*. The report also makes a number of recommendations in relation to ground engineering works and considers a main investigation will be required.
- 9.19 The submitted report was considered acceptable for the last application and there is no change in this regard.



Climate Change

- 9.20 Policy GC1 aims to address climate change and ensure growth does not increase CO2 emissions. The policy also promotes the efficient re-use of buildings, especially those of heritage value. The proposals relate to the re-use of a vacant restaurant within a non-designated heritage asset with the aim of securing a viable future for the building.
- 9.21 The submitted Energy Statement demonstrates that the proposed development will aim to achieve reduced CO2 emissions through:
- Reducing U-values of the building's thermal elements.
 - Reducing the effects of thermal bridging.
 - Effective airtightness and ventilation strategies.
 - Consideration of services installations efficiency improvements.
- 9.22 A further low and zero carbon feasibility study will also be carried out to assess the future use of low and zero carbon technologies. On the basis of the submitted report, there is no conflict with Core Strategy Policies G1 and G2.



10. Very special circumstances

- 10.1 Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, are clearly outweighed by other considerations. In essence there is a requirement to assess the harm resulting from the proposal, outline and assess the other considerations, and undertake a balancing exercise whereby the harm caused by the proposal is weighed against the other considerations. If the other considerations clearly outweigh the harm, this comprises the very special circumstances required to justify granting planning permission.
- 10.2 The NPPF does not prescribe or define the scope of very special circumstances. The weight to be given to very special circumstances is therefore dependent upon the context of each individual case. However, case law has also determined that the circumstances do not need to be unusual or specific to the particular case to be special.
- 10.3 There are considerations in favour of the development proposals, which should be afforded significant weight in the decision-making process as such that they outweigh the definitional harm and the very limited harm which may be caused to the openness of the Green Belt should the local planning authority reach this conclusion. The local planning authority also considers that there is minor harm to the non-designated heritage asset. The assessment below demonstrates that the planning considerations in favour of the development proposals amount to the very special circumstances in which planning permission can be granted for inappropriate development in the Green Belt.
- 10.4 The considerations that comprise the very special circumstances in this case are as follows:
- Securing a viable future for the building;
 - The need for the car park and access road;
 - An assessment of alternatives demonstrating this is the most appropriate location for the car park;
 - Securing and enhancing the significance of the heritage asset;
 - Contribution to the local economy;
 - The historic use of the site; and,
 - The reduction in the size of the extensions.



Securing a viable future for the building

- 10.5 Wolstenholme Hall has previously been a successful site operating as a restaurant and events venue. Trade declined at the restaurant over the last 5 years and at the time of purchase by the applicant, the site was in need of significant investment. The business was vacated by Nutters in 2021 and is now empty. The Hall has been subject to vandalism, with roof tiles stripped and windows smashed. Rochdale Council building control services have advised the applicant that the building is in a dangerous condition. The condition of the building will decline rapidly as it is no longer watertight. There is an urgent need to secure planning permission to enable the building to be brought back into good use. Wolstenholme Hall is also identified as a non-designated heritage asset which makes it even more important to secure a long term viable use for the site.
- 10.6 The proposed restaurant operates a different business model to the no longer viable Nutters restaurant. The number of car parking spaces proposed are essential for the business and are commensurate with those approved on other Albert's sites e.g. Standish. The additional car park is an integral part of the proposals and is necessary in order for the venture to be viable.
- 10.7 The applicant is a Manchester based property and leisure business, Castlefield Estates Limited, the property development arm and Elle R Leisure Limited, which operates leisure activities from sites acquired and developed by Castlefield Estates. The portfolio currently consists of a range of offices, restaurants, bars and hotels across Manchester, Leeds and North Wales. The business is family owned and operated with the emphasis on longevity. The business makes significant capital investment into all its sites with a view to retaining ownership and obtaining returns over a longer period. Profits are retained in the businesses to develop new sites and the company does not rely on bank financing for acquisition or development.
- 10.8 Castlefield Estates originally started in Castlefield in the centre of Manchester in the late 1980's and has helped develop the area into the vibrant community that it is today. This has included developing a number of historically significant buildings in a sympathetic manner and bringing them back into a commercially viable use.
- 10.9 Elle R Leisure sought to exploit the leisure potential of such a historic area, and so Dukes 92 was opened in September 1991. The site was further developed over the coming years to include events spaces and finally with the opening of Albert's Shed in 2004. This created a large multi-purpose destination site incorporating a bar, restaurant and events space. The company has continued the brand development with the opening of three other sites, Albert's Didsbury, Worsley and Standish. Wolstenholme Hall would operate under the Albert's brand.



10.10 The company trademark is to regenerate derelict or underperforming sites and bring them back into vibrant spaces with high quality multi use schemes.

10.11 There is a need to seek a viable use to secure the future of the site and the heritage asset. The applicant has a proven track record of delivering a successful restaurant and bar model to sites that had become unviable under previous ownership. The car park and access road are an integral part of the proposal to secure the viable use. This is material consideration to which significant weight should be attached.

Need for the car park and access road

10.12 As set out above, Nutters operated a fine dining model based on a low number of covers which required significantly less parking than the previous operators of the site who relied on the overflow car park. Alberts operates a restaurant alongside function rooms.

10.13 First, the size of the car park proposed is consistent with other sites operated by Albert's. We attach at Appendix **EP1** a plan for the car parking at Albert's, Standish where there are 150 car parking spaces, compared with 133 at Wolstenholme Hall.

10.14 Second, Rochdale's car parking standards set out a maximum requirement of 1 space per 7 sqm of public floorspace for restaurants, 1 space per 6 sqm for bars/drinking areas and 1 space per 6 seats for conference facilities/function rooms. Our architect has applied the parking standards to the proposals for Wolstenholme Hall and the resultant requirement is 133 car parking spaces. The proposed 133 car parking is entirely appropriate when assessed against the car parking standards.

10.15 Finally, the overflow car park is just that, for the busiest times. Customers will typically seek to park as close to the venue as possible and therefore the overflow car park would only be used at times when the main car park is full.

10.16 In terms of the access road, it is important that there is a dedicated access for the function room. The previously designed extension provided a designated access to the main function room. The revised scheme has been considerably scaled back and no longer provides this opportunity. The access road enables a dedicated drop off and pick up point for the bride and key guests. It has been significantly revised from the withdrawn scheme and is now proposed to be accessed from the south west corner of the car park and would run directly in front of the terrace within the existing grass embankment. This is essential to the success of the business and would be viewed in conjunction with the existing terrace.



10.17 The new access road to serve the drop off for the function room is now drawn extremely tightly to the building ensuring that there is no greater impact on openness. We enclose an appeal decision at Appendix **EP2** dated 23rd February 2024 relating to the creation of a parking area and access track at 2 Phoside View, Chapel Road, Hayfield (APP/H1033/W/23/3330649). The Inspector concluded that:

“This engineering operation would increase the amount of built development within the Green Belt. However, given its character, appearance (which could be controlled by condition) and being made up of a gate, track and parking/turning area, I do not consider that it would harm the spatial openness of the Green Belt as it would not result in any greater enclosure of land, nor would it introduce any substantial volume of new development or structures.”

10.18 Emery Planning acted on behalf of the Appellant in this case and we consider that the same conclusions should be reached in respect of the Wolstenholme Hall proposals.

Assessment of alternatives

10.19 An assessment of the most appropriate car park location has been undertaken and this is attached at Appendix **EP3**. In summary:

- Zone A comprises the open lawned area to the front of the property. It was considered that locating additional parking in this location would be detrimental to the main view and approach to the Hall.
- Zone B is situated to the west of the existing building. Locating the additional car park in Zone B would involve the removal of a number of trees. Furthermore, there is no existing vehicular access to this part of the site and a new access road would be required (probably running through Zone A).
- Zone C is a steep embankment with heavy tree cover and does not lend itself to car parking.
- Zone D is the area suggested by the local planning authority situated to the east of the existing car park. This was the site for a former reservoir which is understood to lie beneath the surface of the ground, please see the site plan from 1929 attached at Appendix **EP4**. Significant engineering operations would be required to site the car park in this location.
- Zone E is the proposed location for the overflow car park. Historically this was host to a number of buildings. It has also been used for overflow parking the past and was last used as a helicopter landing pad.

10.20 Having carried out a site assessment, it is considered that Zone E is the only suitable location for the proposed overflow car park. Furthermore, the principle of a car park in this location has been established.



Securing and enhancing the significance of the heritage asset

10.21 Section 16 of the Framework considers heritage planning. Paragraph 203 identifies four key areas that need to be addressed in the decision-making process as follows:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

10.22 Clearly in this case, as a non-designated asset, Wolstenholme Hall is of local importance, and it is highly desirable to identify a long-term viable use for the site.

10.23 The Hall has been significantly altered and the extensions are incongruous in relation to the main Hall. Demolishing these unsympathetic extensions and replacing them with high quality, functional extensions would be an enhancement to the original façade of the building. The improvement to the visual appearance and condition of the site would constitute a significant benefit.

10.24 The proposal would enhance the significance of the heritage asset through exposing features currently hidden by the existing extension, and the new additions respect the historic fabric of Wolstenholme Hall. The long-term viability of the non-designated heritage asset would also be secured and would help sustain its significance in accordance with the Framework and maintain its value as a substantial and widely regarded local building and landmark. As identified in the Heritage Impact Assessment, much of the historic interest of the building lies in its communal value, therefore bringing this asset back into use for the benefit of the local and wider community carries significant weight.

10.25 The proposal is needed to secure the long-term future of the building utilizing a high-quality design which will contribute towards the image of the borough. It would enhance the significance of the heritage asset and sustain it for future generations. This is a material consideration to which significant weight should be attached.



Contribution to the local economy

- 10.26 Elle R Leisure's business model is based around creating destination venues that justify significant long-term investment. Elle R Leisure operates a three-strand business model comprising restaurant, bar and events. The business model provides both a multitude of visitor opportunity and maximises spend per visit, for example encouraging guests to visit the bar for a drink before and after a meal.
- 10.27 The events strand of the commercial strategy forms an essential component and is a significant part of the revenue stream which justifies the proposed scale of investment at Wolstenholme.
- 10.28 In order to provide this model, as part of this application the applicant seeks consent for a similar sized building to comparable restaurants within its portfolio. The anticipated investment into the site including site acquisition costs is estimated at £5-6 million.
- 10.29 The customer base for the restaurant and bar would be drawn from the broadest possible age range. For example, midweek lunchtimes are popular with an older demographic and weekend days are family orientated with evening customers being drawn from the working age population. The business model seeks to draw customers from a wide catchment, often travelling up to 15 miles to a site.
- 10.30 To date Elle R Leisure has created over 500 jobs with a high level of staff retention. Working with local people and communities has always been a key part of its strategy with partnerships being key to supporting sustainable growth locally and for the business.
- 10.31 The business would seek to attract a significant number of visitors to the area and facilitate a boost to the economy of Rochdale. The site is well positioned on the highways network, close to the A680, M66 and M62 and able to attract passing trade from these major routes. Guests will typically use the facility for eating and drinking however customers may also undertake linked trips to nearby attractions.
- 10.32 Alberts', Worsley is comparable. This was a derelict pub on a large site with potential to create a destination venue. The New Ellesmere pub, which was closed when acquired, was redeveloped with the uses expanded from pure pub to restaurant, bar and events space. The site hosts approximately 150,000 covers annually.
- 10.33 The £3 million investment at the Worsley site provided an attractive destination venue which in turn created a number of enhancements to the local area and economy. It has led to the creation of approximately 80 jobs with strong staff retention and a large percentage of staff residing in the surrounding area. It is anticipated that a similar number of jobs would be created at Wolstenholme Hall.



10.34 Once planning permission has been obtained, the applicant would seek to implement the extension and refurbish the existing building. Elle R Leisure bring a proven track record and experience of developing and operating high quality and successful leisure sites. The company has a wealth of knowledge of developing quality environment, whether that be in the context of the Castlefield Estate or at the various leisure operations.

10.35 In summary, the contribution to the local economy would comprise:

- An estimated investment of £5-6 million.
- Creation of approximately 80 jobs, with employees sought from the local area wherever possible.
- Attraction of visitors to Rochdale and linked trips with tourist facilities.

10.36 The economic benefits are a material consideration to which significant weight should be attached.

The historic use of the site

10.37 As set out above, the historic use of the site is a material consideration in the overall planning balance.

10.38 The proposed overflow car parking area was historically used for car parking. Prior to the purchase of the site by Nutters in 2003, the site was used more intensively. The owner prior to 2003 was Whitbread who operated a high volume restaurant with childrens' indoor play (a Wacky Warehouse) and before that as a nightclub. This type of operation requires a high level of parking and the proposed hardstanding area was used as car parking prior to 2003.

10.39 This is clearly shown on the extract from a 2003 map included at paragraph 7.6 of our planning statement. The map at paragraph 7.6 was taken from the appendices to the preliminary risk assessment prepared by Groundtech. We would also refer you to the figures at Appendix V and the Groundsure Large-Scale Historic Map Report at Appendix VII of the Historic Environment Desk Based Assessment prepared by ARS and submitted as part of the application. These show the car park on maps dated between 1992 and 2003.

10.40 The Groundsure Maps at Appendix VII of the ARS report also clearly show that there were buildings on the site of the proposed car park in 1929, 1938, and 1963. There also appear to be buildings on this parcel of land as recently as 1983 to 1987.

10.41 Evidence of vehicular use can be seen on historic Google maps. Below are the images from 2000, 2003 and 2005 which show vehicular tracks on the ground.





Google Maps Image 2000



Google Maps Image 2003





Google Maps Image 2005

10.42 The restaurant was operated by Andrew Nutter from 2003 until October 2021 as a fine dining experience. This model has less reliance on car parking. The lower car park was no longer used and naturally grassed over. The hardstanding still remains below the surface. However, Mr Nutter did construct a helicopter landing pad on the area in question. This can be seen on Google Aerial images going back to 2013. We do not believe this had planning permission but would have become lawful through the passage of time. The helicopter landing pad would also be an engineering operation in the Green Belt.

10.43 In terms of the proposed internal access road, the maps from 1910, 1929, 1962-1963, 1969 in Appendix V referred to above, also show that the proposed internal access road follows the route of the original road very closely. Again, there is historic evidence that that was an existing road in this location.

10.44 In summary, the available evidence shows that there was built form on this site for many years and that there was a car park on the land between around 1992 and 2003 which has naturally grassed over. More recently the land has been used as a helicopter landing pad. The use of the site for car parking in conjunction with Wolstenholme Hall is entirely in-keeping with the historic use of the land and this is a material consideration to which moderate weight should be attached.

The reduction in size of the proposed extensions

10.45 The size of the resultant building has been reduced from 2,090 sqm as approved to 1778 sqm sqm as now proposed. This is a reduction of 312 sqm (gross internal area). The proposed new access road (which would not create any new floorspace or volume) is needed in order to achieve the reduction in scale and massing.

Summary of very special circumstances

10.46 The local planning authority concluded in respect of the previously approved scheme that:

“It is considered that there are very special circumstances that would clearly outweigh the identified harm to the Green Belt in terms of inappropriateness and loss of openness. The economic investment in the site would secure the long term use of the building which would in turn contribute to the local economy and result in the creation of additional jobs in the local area. Investment in the site would also secure the long term future of the heritage asset, which has previously been harmed by inappropriate extensions and which is currently degrading due to its vacant nature. It is considered that the applicants have adequately demonstrated that the level of parking is required for the proposed development and it is considered that these matters would clearly outweigh the limited harm identified.

Very special circumstances exist that outweigh the substantial harm to Green Belt by reason of inappropriateness and loss of openness. All other matters have been addressed and the recommendation is for approval.”

10.47 It is considered that the same conclusion can be reached in respect of the current proposals.



11.Summary

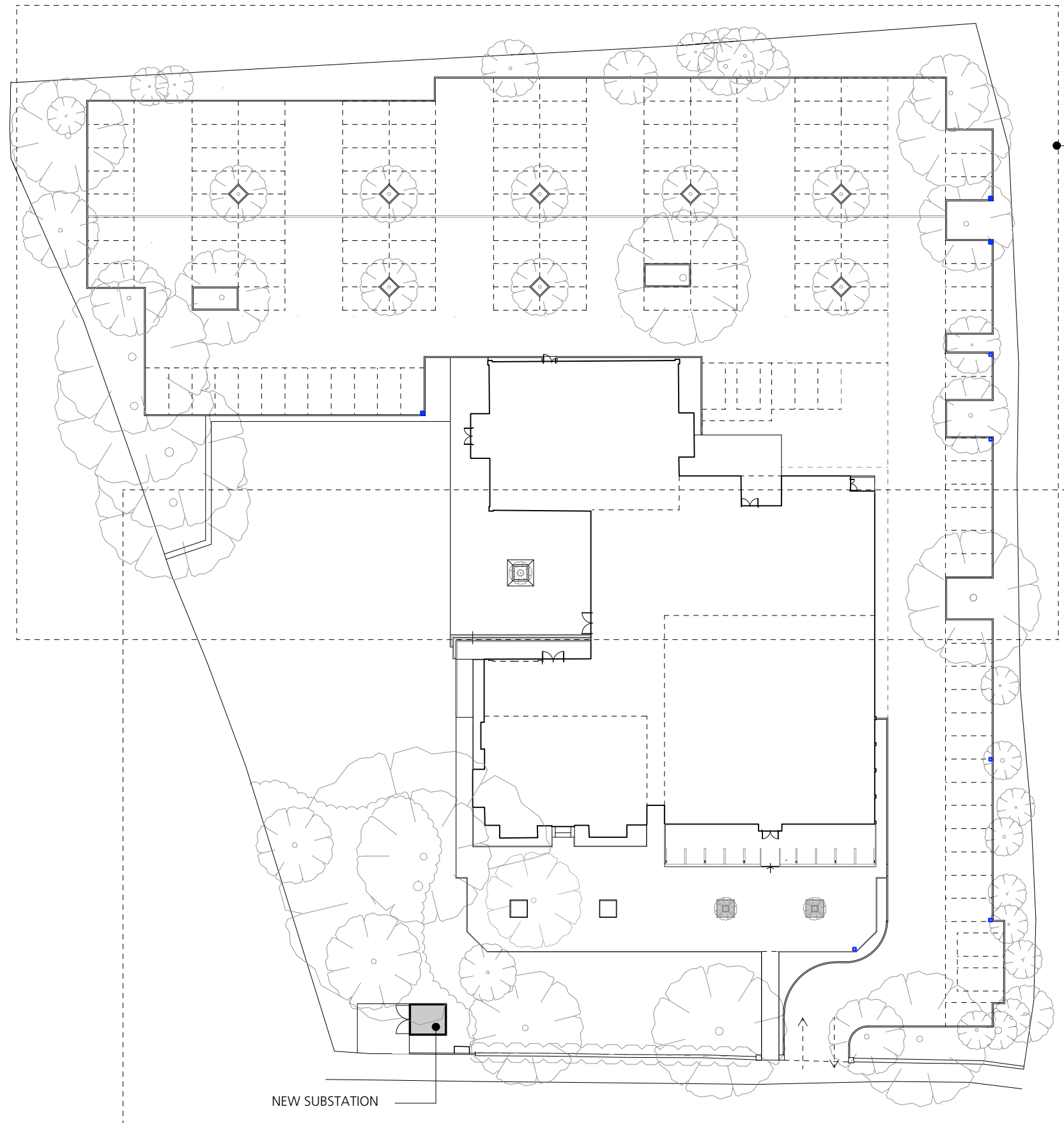
- 11.1 This statement has been prepared in support of a planning application submitted on behalf of Elle R Leisure for the proposed demolition of existing extensions, the construction of new extensions to the existing restaurant, an internal access road and the creation of additional car parking and associated works at Wolstenholme Hall, Edenfield Road, Norden, Rochdale.
- 11.2 This application seeks revisions to planning permission 22/00597/FUL which was approved on 27th January 2023 for the demolition of existing extensions and the constructions of new extensions together with the creation of additional parking. The application proposals have been finalised following pre-application discussions.
- 11.3 The proposal comprises the demolition of existing incongruous extensions and the construction of new extensions to provide a bar, restaurant, function room and private dining venue. The accommodation would be reconfigured internally and refurbished to a high quality. A new internal access road is proposed together with the extension of the existing car park to the south.
- 11.4 The proposed extensions would not comprise inappropriate development in the Green Belt. We conclude that the additional car parking and access road would not have a greater impact on the openness of the Green Belt than the existing development. There would be no harm to the purposes of including land within the Green Belt and the proposal would not be inappropriate development in the Green Belt.
- 11.5 If the local planning authority conclude that the proposed car park and access road is inappropriate, there are considerations in favour of the development proposals which should be taken into account in the decision-making process. The considerations are:
- Securing a viable future for the building;
 - The need for the access road and car park;
 - An assessment of alternatives demonstrating this is the most appropriate location for the car park;
 - Securing and enhancing the significance of the heritage asset;
 - Contribution to the local economy;
 - The historic use of the site; and,
 - The reduction in the scale of the proposed extensions.



11.6 These considerations should, together, be afforded significant weight in the decision-making process. It is considered they outweigh the definitional harm and the very limited harm which may be caused to the openness of the Green Belt (should the local planning authority reach that conclusion), and consequently comprise the very special circumstances in which permission may be granted for development that is inappropriate in the Green Belt.



EP1



FOR LARGER SCALE LAYOUT AND
SCOPE OF WORKS TO REAR OF SITE
SEE DRAWING 313 CD 9003

FOR LARGER SCALE LAYOUT AND SCOPE
OF WORKS TO FRONT OF SITE SEE
DRAWING 313 CD 9004

NEW SUBSTATION

SCHOOL LANE

Rev F - 05/19
Front terrace adjusted

Rev E - 05/19
Layout adjusted

Rev D - 03/19
Substation position adjusted

Rev C - 03/19
Rear terrace steps amended

Rev B - 02/19
Terrace width reduced and vehicle
entrance adjusted, tree removed to
rear car park

Rev A - 01/19
Rear car park, function room
terrace and front terrace amended

FOR PROPOSED SOFT LANDSCAPING WORKS
REFER TO LANDSCAPE DESIGNERS DRAWINGS

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Key Plan &
Northpoint

Client Elle R Leisure

Project **Albert's Restaurant & Bar
Standish**

Date March 2018

Status For information

Document **External Works
Proposed Site Plan**

Scale 1:500 @ A3

Doc Ref	313	CD	9002	F
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EP2



Appeal Decision

Site visit made on 20 February 2024

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 February 2024

Appeal Ref: APP/H1033/W/23/3330649

2 Phoside View, Chapel Road, Hayfield, SK22 2JN

- 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 Daniel Knight against the decision of High Peak Borough Council.
 - The application Ref HPK/2023/0009, dated 12 January 2023, was refused by notice dated 4 April 2023.
 - The development proposed is described as a “parking area, access to track to create a safe means of access to existing house, change of use of part of the field into access track, parking area for 2 Phoside View.”
-

Decision

1. The appeal is allowed and planning permission is granted for a parking area, access to track to create a safe means of access to existing house, change of use of part of the field into access track, parking area at 2 Phoside View, Chapel Road, Hayfield, SK22 2JN in accordance with the terms of the application, Ref HPK/2023/0009, dated 12 January 2023, subject to the conditions in the Schedule attached to this decision.

Procedural Matters

2. The National Planning Policy Framework (the Framework) was revised in December 2023. This was after the submission of the appeal but before the submission of the Council’s statement and the appellant’s final comments. As such, both parties had the opportunity to comment on changes within it, if required. Paragraph references in my decision relate to the latest version.

Main Issues

3. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies.
 - The effect of the proposal on the openness of the Green Belt.
 - The effect of the proposal on the rural character and appearance of the area.

Reasons

4. The appeal site is a semi-detached house within the Green Belt, fronting onto the A624, Chapel Road, which runs between Hayfield and Chapel-en-le-Frith. The site does not currently have any off-street parking, and there are no substantive footways linking the site to Hayfield, the edge of which is a short distance away. There are street lighting columns, but these are apparently no longer in use as a cost- and energy-saving measure.
5. The proposed access is located within the adjoining field in order to provide visibility splays and sightlines appropriate for the location and measured traffic speeds. This then drives the requirement for the track to the parking and turning area adjacent to the house. Derbyshire County Council as Highway Authority is satisfied with the proposal in highway safety terms.

Whether inappropriate development

6. The Council and the appellant state that the proposal is an engineering operation. I agree. Paragraph 155 of the Framework states that engineering operations are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

Openness

7. Both parties have highlighted that openness can have spatial and visual elements. The proposal would result in the creation of a track and access, requiring the excavation of material from within the Green Belt, in the sloping ground running along Chapel Road, behind the boundary wall. The appeal proposal would remain essentially within the existing ground levels, being partly cut into the slope, rather than built on top of it.
8. This engineering operation would increase the amount of built development within the Green Belt. However, given its character, appearance (which could be controlled by condition) and being made up of a gate, track and parking/turning area, I do not consider that it would harm the spatial openness of the Green Belt as it would not result in any greater enclosure of land, nor would it introduce any substantial volume of new development or structures.
9. Turning to the visual element of openness, the proposal would be visible from the road and from nearby public rights of way. The location and the landscape are, I agree, sensitive. However, the proposed gateway within an existing wall and the track and parking/turning area with its attendant boundary treatments would not, in my view, be so fundamentally different to the approach taken to the A624, other tracks and accesses, including public rights of way and indeed, the existing houses, such that it would affect or harm the visual openness of the Green Belt. The proposal would not be viewed in isolation. It would always appear in the context of two existing, well-established houses, close to an existing settlement, fronting onto a road with other tracks, public rights of way off it, and various gates, fences, walls and other means of enclosure clearly visible in the same setting.

10. I therefore find that the openness of the Green Belt is preserved, and the proposal does not conflict with the purposes of including land within it. As such, the proposal is not inappropriate development in the Green Belt. As I have found that the proposal is not inappropriate development in the Green Belt, it is not necessary to consider whether or not 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.
11. The proposal does therefore comply with Policy EQ4 of the High Peak Local Plan (the Local Plan) which seeks to protect the Green Belt and maintain its openness, consistent with national policy. The proposal also does not conflict with national policy expressed in the Framework concerned with protecting Green Belt land.

Rural character and appearance

12. As I have noted, the appeal site is a sensitive one, being close to the Peak District National Park and within the Green Belt. The Council also suggests that it is prominent, owing to the steeply sloping topography of the field and the need to cut the access track into the ground and the visibility of it from the road and surrounding public rights of way. I do not dispute the sensitivity of the landscape, and I note the content of the 2006 Landscape Character Supplementary Planning Document (the Landscape SPD), with the Council highlighting the location of the site within the Settled Valley Pastures area. I also do not dispute that the proposal would be visible, but for the reasons set out in my consideration of openness above, do not find that visibility is analogous with unacceptability.
13. Whilst the characterisation in the Landscape SPD and described by the Council in their evidence clearly applies to the wider landscape, I do not consider that it directly, or properly applies to this particular appeal site. The site is one half of a semi-detached pair of houses, close to, but outside of, an established village, fronting onto a main road, with other houses and buildings accessed from the road above. All of this is visible in long and short views, giving a built and settled character to the immediate surroundings of the site. The stone walls to the front of the site and the boundaries of the field further reduce, in my opinion, any sense of the immediate site surroundings being unsettled and with limited development.
14. Owing to the topography of the area, which is of course a significant part of its character, accesses which are somewhat remote from the property they serve are not unusual, and I saw many on my site visit. Neither is it unusual or uncharacteristic to see gates or openings let into stone walls or tracks running broadly in line with or close to roads in order to deal with gradients or other constraints.
15. I note that the adjoining property already has a parking and turning area as well as an attached garage. Although the levels would likely be higher, given the appeal proposal would retain the stone wall to the immediate front of the site, I consider the proposal would have a lesser visual impact.

16. Both the Landscape SPD and the High Peak Design Guide SPD (the Design SPD) note the importance of considering the defining characteristics of the area, as well as the need to consider the impact of hardstanding. Given the ability to control the surfacing materials used through the imposition of a condition, I find that this could be appropriately dealt with.
17. Taking both SPDs together with the submitted evidence and my own observations on site, I am satisfied that although visible, the proposal would not be unduly prominent. That its siting, scale and visual appearance would not be unduly urban and would not cause harm to the immediate or wider rural landscape character. That it would protect and enhance the character, appearance and beauty of the immediate and wider landscape, its intrinsic character and distinctiveness, responding positively to its environment and respecting the character, identity and context of its surroundings.
18. The proposal would not therefore harm the rural character and appearance of the area, and would comply with Policies S1, EQ2, EQ3 and EQ6 of the Local Plan. It would also accord with the guidance in and principles of the Landscape SPD, the Design SPD as well as national policy in the Framework which seeks to achieve well-designed and beautiful places.

Other Matters

19. The Council has suggested that alternative on-street parking is available elsewhere, in Hayfield, which offers a practical, safe alternative to the appeal proposal given the existence of a footway to the site. Having driven and walked in both directions between potential parking locations in the village and the site, I simply cannot agree. Firstly, given the popularity of Hayfield, on-street parking is not particularly easily available even with the provision of pay-and-display parking for visitors. Secondly, the walking route to the site from the village is not a particularly pleasant one. The A624 is subject to a 40mph limit through the village and increases to 50mph beyond it in front of the site. It is also neither flat nor straight approaching the site, limiting the visibility of pedestrians to drivers of vehicles on the road. There is no real, practical footway. On leaving the village one has the choice of a grass-verge with parked cars or the carriageway-edge protected from oncoming traffic by a painted white line. Beyond the village and closer to the site, there is in places a kerb line, but the space behind it is rarely more than shoulder-width before meeting the stone wall and is largely unsurfaced. Reflective posts, road signage, telegraph poles, overgrown vegetation and vehicle debris are also constant companions when attempting to walk behind that kerb line and off the carriageway. Following energy- and cost-saving measures, the road is also now unlit.
20. During my site visit, which took place on a dry, clear day, outside the peak hours, there was a sufficient volume of traffic, including large aggregate lorries, that I was often forced to step tightly back to the stone wall to be safe. It was clear that drivers were not expecting to encounter a pedestrian, and despite my PPE, vehicles were often late in pulling over to pass me if oncoming traffic allowed or were forced to slow down and occasionally stop in order to pass safely. That situation was unpleasant and manifestly unsafe even in ideal conditions. The amount of vehicle debris along the road strongly hints at more minor incidents and collisions than the accident data would perhaps suggest.

21. Given my observations and experiences during my site visit, as well as the evidence to the appeal, I therefore consider that there would be a public benefit to the proposal in highway safety terms by reducing the potential for conflicts between road users. Although planning policy seeks to reduce the reliance on the private car, I consider that in this case that must be balanced against highway safety benefits, as well as the environmental and social benefits of keeping an existing house in safe and practical use. I find that these are material considerations which weigh in favour of the proposal.

Conditions

22. Having had regard to the requirements of the Framework and the Planning Practice Guidance I have imposed standard conditions concerning commencement (1) and compliance with the submitted plans (2). In line with the consultation response from the County Council as Highway Authority, conditions 3, 4 and 5 have been imposed in order to protect, provide and ensure highway safety and convenience. Condition 6 has been imposed to ensure that satisfactory appearance of the completed development and to protect the character and appearance of the area. I am satisfied that the conditions I have imposed meet the tests in, and requirements of both the Framework and the Planning Practice Guidance.

Conclusion

23. For the reasons given above I conclude that the proposal accords with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. There are, as noted material considerations which further weigh in favour of the proposal.
24. Taking all of that together, the appeal should therefore be allowed, and planning permission granted.

S Dean

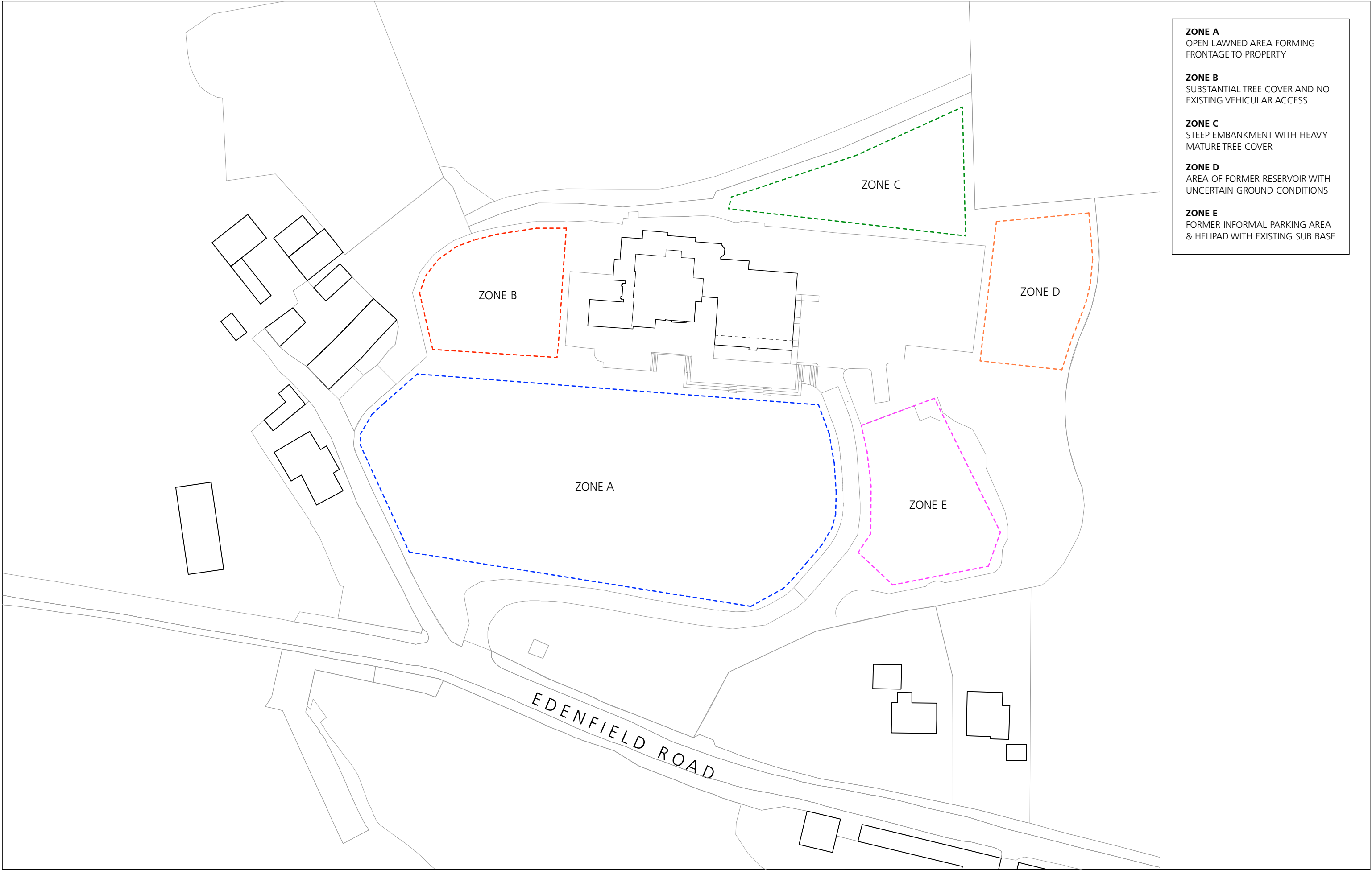
INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. That the development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location plan
 - Proposed site plan (dwg. JG03)
 - Proposed side section
 - Proposed turn off visualisation
 - Track cross section
 - Visibility splays drawing (dwg. JG01 Rev 2)
 - Swept path analysis (dwg. JG02 Rev 2)
3. The new vehicular access shall be formed to Chapel Road in accordance with the application drawings and provided with maximum visibility sightlines extending from a point setback 2.4m from the carriageway edge, measured along the centreline of the access, to a point 1m into the nearside carriageway in either direction. The area in advance of the visibility sightlines shall be retained throughout the life of the development free of any object greater than 1m in height (0.6m in the case of vegetation) relative to the adjoining nearside carriageway level.
4. The proposed vehicular access, the subject of condition 3 above, shall not be brought into use until the parking and turning facilities have been provided as shown on drawing – SITE PLAN - JG03.
5. There shall be no gates or other barriers within 5m of the nearside highway boundary and any gates shall open inwards only.
6. No development other than preparatory works shall commence until details of the materials to be used in the surfacing of the access, track and parking area permitted, the new retaining walls to the parking area, and any remedial works to the stone boundary walls have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

End of Schedule of Conditions

EP3



- ZONE A**
OPEN LAWNED AREA FORMING FRONTAGE TO PROPERTY
- ZONE B**
SUBSTANTIAL TREE COVER AND NO EXISTING VEHICULAR ACCESS
- ZONE C**
STEEP EMBANKMENT WITH HEAVY MATURE TREE COVER
- ZONE D**
AREA OF FORMER RESERVOIR WITH UNCERTAIN GROUND CONDITIONS
- ZONE E**
FORMER INFORMAL PARKING AREA & HELIPAD WITH EXISTING SUB BASE



0 10 20 30 40 50
metres

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Client Elle R Leisure
Project **Proposed Albert's Restaurant
Edenfield Rd, Norden**
Scale 1:500 @ A1 / 1:1000 @ A3
Date December 2022

Document **Planning Drawing
Potential Overspill Parking Zones**
Status For information

Doc Ref	366	PD	5002	A1
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EP4

Site Details:

Client Ref: EMS_759288_983333
Report Ref: EMS-759288_983333
Grid Ref: 384840, 415026

Map Name: County Series

Map date: 1929

Scale: 1:2,500

Printed at: 1:2,500



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