

SALE HERITAGE REBUTTAL BY DAVID BEARDMORE ON BEHALF OF THE APPELLANT

1.0 Evidence of Murray Lloyd

- 1.1 This evidence is not directly related to heritage issues but refers to my original Statement of Heritage Significance in paragraph 5.5.13 of his evidence in order to attempt to draw support for the valuation arguments advanced in the Council's case. In doing so it is clear that my original statement has been misunderstood by this witness with the result that its relevance to his evidence is misrepresented.
- 1.2 I am not a valuer nor was my original Statement of Heritage Significance attempting to offer an opinion on that subject. It was a statement, based on many years of work across the country on a variety of heritage issues, particular in relation to the likelihood of buildings being restored to their original condition and/or external appearance. My conclusion is based on an assessment of the prospect of the building being restored in this way if left in its present use. This last point is of critical importance. The building is occupied and produces an income for its owner. It is not redundant or vacant. The income for the owner is derived from the use of **all** the building including those of no heritage value whatsoever. Nevertheless it is clear to me that for the building as a whole considerable work would have to be undertaken to achieve a worthwhile (in heritage terms) restoration.
- 1.3 It is not merely a cosmetic improvement that would be required but such work would inevitably involve the loss of floorspace in order to return the building to something that would reflect its original form, condition and/or external appearance since the current accommodation includes poorly designed and inappropriate additions. Assuming that my conclusion on this point is broadly correct I find it difficult to see that there would be any incentive for an owner to undertake such works since the cost would be high (there would be no point in a restoration that included cheap or inappropriate materials or poor design) and there would almost certainly be an associated net loss of income producing floorspace. Even if there was a modest increase in income (attributable to better quality accommodation albeit with a reduction in floorspace in the current situation) I cannot – based on my experience - envisage a situation whereby an owner would be prepared to invest in the works necessary to bring the building back to its original condition and/or external appearance.
- 1.4 That was the straightforward point that was made in my original Statement of Heritage Significance. It should not be taken to mean anything more than that simple conclusion.

2.0 Evidence of Elisabeth Lewis

- 2.1 This evidence is directly related to heritage issues and is provided in support of the Council's case in relation to those reasons for refusal.
- 2.2 In paragraph 5.5 of Ms Lewis's evidence the central question of whether 35 Oakfield is a non designated heritage asset is addressed but the issue of whether the Council has identified it

as such is avoided and reliance placed on paragraph 040 of the NPPG and Historic England's Advice Note 7, neither of which are the policy of central government but advisory. More importantly no mention is made in this part of the evidence of the procedure that the Council itself adopted, in August 2019; namely, a resolution that it would draw up a list of such assets. This resolution clearly sets out the need for consultation (as and when such a list is eventually published) and that such consultation would take place before the list was adopted as a Supplementary Planning Document as required in the original resolution. No explanation is given as to why this procedure (which is still the Council's adopted policy) has not been complied with or by what authority officers have taken it upon themselves to decide that 35 Oakfield is a non designated heritage asset.

- 2.3 A similar failure to fully and properly analyse the Council's position regarding the status of 35 Oakfield as a potential heritage asset is made in paragraph 5.14 which refers to the work of the bodies involved in preparing the Draft Local Heritage List for Greater Manchester and the process for the eventual adoption of such a list for Trafford. Paragraph 5.15 makes it clear that: "The final draft list will then be the subject of a second round of consultation before adoption as an SPD by the Council." How this admission of the need to follow this process (as laid down in the August 2019 resolution) can be reconciled with the claim that 35 Oakfield has already properly been identified as a non designated heritage is not explained. This glaring contradiction was ignored in the officer report on the original application and has not been addressed or satisfactorily explained in the Council's evidence.
- 2.4 The consultation replies to the appeal application are dealt with in paragraphs 5.16 and 5.17. In particular reliance appears to be placed on the representations of the Sale Civic Society who claim that the property was built in the 1860s. It is then later claimed in paragraph 5.44 that "the dwelling is understood to be the work of Frank Walter Mee." While he appears to have been articulated to George T Redmayne in 1866 at the age of 12 it seems unlikely that he would have had any real part in designing this house when, at the close of the decade, he would have been only 16. This seems to be one of several examples of trying to ascribe significance to the property, the evidence for which is, at best, flimsy. For example, reference is also made to the house being "connected to social activism during the interwar period" and "was occupied by a number of leading suffragettes in Sale". Mention is made of "Ada Hines and Lucy Fildes who were active in the suffragette movement in the 1920s and 1930s." No indication is given as to whether they lived in the property and if so for how long. Both had been founder members of the Manchester Branch of the Women's Freedom League in 1909 which was a radical suffragette movement that broke away from that led by the Pankhursts in 1907. After the full emancipation of women in 1928 the League moved to campaigning more generally for women's rights and was not finally wound up until 1961.
- 2.5 Without a clearer and more compelling evidential base it is difficult to see how much weight should be placed on these claims of local heritage significance. In any event, even if they

could be supported by more substantial evidence they cannot be divorced from the condition and appearance of the building as it now stands. In terms of the key factor of Architectural Interest (paragraph 5.63) it is claimed that: "There is still a good level of architectural integrity with a well-balanced composition, palette of materials and distinctive architectural features focused on the front elevation." The last five words emphasise what has led to such a positive judgment on 'Architectural Interest', ie that the judgment is "focused on the front elevation.". Even the assessment that the composition is "well balanced" is dubious when applied to the front elevation. It does have two asymmetrical pavilions that flank the central section of the façade but they have the effect of visually 'squeezing' this narrow central bay so that it fails to 'read' as an independent feature, something that it would be reasonable to expect if the claim that it is a good example of a building of this age is to be supported. What constitutes good architectural design requires a judgment that includes balance and proportion, not merely age and materials. It is accepted that the front elevation as a whole appears to be largely as originally constructed and that the palette of materials is consistent with a building of this age but these are hardly unusual. Render and 'fishscale' tile hanging and not rare neither are they used here in a particularly distinctive or innovative way.

2.6 If however the architectural interest of the building is assessed as a whole (as it should be if a balanced judgment is to be arrived at) it is extremely difficult to see any case for it to be described as having a "still a good level of architectural integrity with a well-balanced composition." Defacement of key features (such the external chimney stack) is considered to be "amenable to a degree of restoration and enhancement." This sweeping generalisation overlooks and severely underestimates a number of key considerations. These include:

- the extent of reinstatement that would be required;
- how such works could be funded; and,
- who would undertake them since there appears to be little incentive for an owner to do so.

2.7 The most important heritage question that arises in this case is not directly addressed in the Council's evidence, ie whether given the extent of the work and the cost required to bring it back to its original layout, condition and appearance, whether there is a substantive case that would support the authority's objective of local listing and protection from demolition. In reaching this judgment the overall value of the building should be analysed and placed in its proper context with the final decision resting on a proportionate and realistic assessment of its heritage significance. In this connection criticism was made of the appellant's Statement of Heritage Significance in that allegedly concentrated too much on architectural interest. This demonstrates a clear flaw in the Council's approach. Individual buildings that are not within a conservation area and not within the setting of listed buildings are assessed in terms of architectural and historic interest. This is as true of locally listed buildings as it is of statutorily listed ones. If there is any doubt about the value of a building in terms of its

architectural interest it would need substantial evidence of historic interest to justify local listing on the grounds of historical significance. Here I acknowledge that the latter may include social and local history. On that subject the Council has very little evidence to offer. The building is of uncertain date, its architect 'may' be of local importance and two suffragettes are believed to have been connected with it, possibly having lived there at some time. None of which constitutes a compelling case for even local listing. Regrettably, overall the evidence advanced to support a case for local listing is not persuasive and the balanced and proportionate assessment required has not been undertaken with far too much emphasis being placed on the perceived value of the front elevation.