
Appeal Decision

Site visit made on 19 September 2016

by R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCI Arb MCIL

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 5 October 2016

Appeal Reference: APP/Z2830/W/16/3150334

**Land at 'Dower House', 52 High Street, Bugbrooke,
Northamptonshire NN7 3PG**

- 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 R Watkinson and Mrs J Booty against the decision of South Northamptonshire Council.
 - The application (reference S/2015/2518/FUL, dated 27 October 2015) was refused by notice dated 23 December 2015.
 - The development proposed is described in the application form as "demolition of existing outbuildings and erection of a low impact energy efficient 3 bedroom dwelling, detached garage and associated landscaping".
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Decision

1. The appeal is dismissed.

Main issues

2. There are three main issues to be determined in this appeal. The first is the effect of the proposed development on the character of the surrounding area generally, in the light of policies that are intended to protect the countryside and to promote sustainable development. The second is its more specific effect on heritage assets in the locality (the 'Dower House' itself and Bugbrooke Conservation Area). The third is the effect of the proposed new dwelling on the residential amenities of neighbours (whether unacceptable harm would be caused by undue dominance or intrusion on privacy).

Reasons

3. Bugbrooke is an attractive Northamptonshire village, characterised by buildings of traditional stone construction set along the High Street frontages (often close to the highway), with some development extending away from the main road that runs through the village. The core part of the village is designated as a Conservation Area and there are a number of historic buildings in the vicinity of the appeal site. Indeed, the 'Dower House' itself is listed (Grade II*) as a building of special architectural or historic interest.
4. The appeal site is a sizeable plot of land that lies behind the main street frontage, between the properties that lie along the roadside and the large cricket ground to the west. Currently, it forms part of the grounds of 'Dower House', an important listed building constructed of ironstone in a formal style

and dating from the seventeenth century, with major eighteenth century additions and later extensions and alterations.

5. It is now proposed to create a separate site for a new dwellinghouse within the established grounds of 'Dower House', with access directly from the High Street, through an existing historic gateway. The proposed new house would be contemporary in style, employing the principles of low impact, energy efficient design, but it would reflect traditional forms and materials in the use of a dominant pitched roof and in the application of timber cladding as an exterior finish.
6. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the statutory Development Plan unless material considerations indicate otherwise. Development Plan policies are, therefore, especially important and are intended to restrict new house building outside the development areas to small-scale infilling and like development. Indeed, underlying all the principles of the 'National Planning Policy Framework' there is an aim of promoting sustainable development and directing new development to appropriate locations, thus protecting the countryside from undue encroachment.
7. Specifically in relation to the historic environment, provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 impose obligations on those considering whether to grant planning permission for development that would affect the setting of a listed building. In such cases it is necessary to have special regard to the desirability of preserving the setting, while other provisions in the Act require decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals.
8. That statutory framework is reinforced by the 'National Planning Policy Framework', especially at Section 12, which emphasises the importance of conserving and enhancing the historic environment, though it points out the desirability of putting a heritage asset to its "optimum viable use" as does the 'Planning Practice Guidance'.
9. The 'National Planning Policy Framework' also emphasises the aim of "requiring good design" in the broadest sense (notably at Section 7) and it points out the importance of creating an attractive streetscape and maintaining the overall quality of the area. It is aimed at achieving good design standards generally, which includes protecting existing residential amenities and providing good standards of accommodation in new dwellings.
10. Policies in the Development Plan also reinforce the underlying principles that are established in the primary legislation and the 'National Planning Policy Framework'.
11. Thus, Policies EV2 and H6 of the 'South Northamptonshire Local Plan' are intended to discourage development outside the built up areas of existing settlements (subject to certain exceptions), in order to protect the character and appearance of the countryside. Policies G3, EV1, EV9, EV10 and EV12 of the 'Local Plan' emphasise the importance of design considerations, both generally and particularly in relation to the historic environment, while Policy

- H12 includes a more specific aim of protecting the residential amenities of neighbours.
12. The proposed new residential plot forms part of the grounds of an existing dwelling, where some garden buildings are located. The land is predominantly undeveloped in character, as garden land at the edge of the village, adjacent to the wide expanse of the cricket ground but outside the built up confines of the village itself. Thus, the development of the site would have the effect of extending the built up area of the village into the surrounding countryside in visual terms, even though it would be close to the High Street and, hence, to the various facilities that are available in the village.
 13. Thus, the project would clearly conflict with Policies in the Development Plan that are intended to prevent the outward sprawl of settlements (except where necessary in defined circumstances). In practice, the new development would extend the village into the countryside in a way that would undermine the rural character of the surroundings, contrary to established planning policies. For this fundamental reason alone the proposals ought not to be allowed, in principle.
 14. The new house would be visible from the High Street and from the public footpath to the south but it would be set back from the frontage and could be reasonably well screened from public views. Nevertheless, it would have some visual impact while, in affecting the character of the village surroundings, the project would also have an effect on the Bugbrooke Conservation Area, since the pattern of development in the village, along the western frontage of the High Street, would be affected.
 15. Here, the urban grain is characterised by areas of open landscaped land, behind a more continuously developed frontage, whereas the new house, on a "backland" plot, would introduce a new pattern of growth, very different from the historic character of the village. Moreover, the proposed new building would impinge on the listed building, eroding the landscaped grounds that provide its setting. These concerns reinforce the principal, policy based objection to the scheme, therefore.
 16. It has also been asserted that the new house would affect the residential amenities of neighbours by intruding (or seeming to intrude) on their privacy or by being overly dominant in relation to neighbouring properties. The appeal site is a substantial plot, proving space for the proposed new house to be set back from the frontage development. Nonetheless, the windows at first floor level on the front of the proposed new house would overlook the private garden of the frontage property, even though they would serve secondary rooms. To this extent, the project could also have an unacceptable impact on the living conditions of the neighbours, although it must be acknowledged that it may have been possible to overcome this objection (for example, by the installation of fixed windows, glazed with obscured glass).
 17. The contribution that the appeal scheme would make to the provision of residential accommodation in the locality is a positive benefit that weighs in favour of the appeal, while the proposed design is architecturally interesting in itself. Nevertheless, I am convinced that the project would cause actual harm to the character of the surrounding area, in the light of policies that are

intended to protect the countryside and to promote sustainable development, and that it would erode the qualities of the Bugbrooke Conservation Area and of the setting of the 'Dower House'. As presented, it would also overlook the neighbours' garden to an unacceptable degree.

18. In short, the objections which I have identified outweigh the benefits of the project and it would clearly conflict with fundamental planning policies, including with the Development Plan. Hence, I have concluded that the scheme before me ought not to be allowed and, although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR