
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: 11 October 2016

Appeal Reference: APP/Y2810/W/16/3145161

Land at 'The Croft', Croft Lane, Staverton, Northamptonshire NN11 6JE

- 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 the Trustees of Joy-Hilary Usher-Stephenson against the decision of Daventry District Council.
 - The application (reference DA/2015/0917, dated 24 September 2015) was refused by notice dated 23 December 2015.
 - The development proposed is described in the application form as "demolition of garage and outbuildings, erection of single house and garage".
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Decision

1. The appeal is dismissed.

Main issues

2. The main issue to be determined in this appeal is the effect of the proposed development on the setting of 'The Croft' (which is a listed building) and on the character and appearance of the Staverton Conservation Area.

Reasons

3. Staverton is an attractive village with an historic layout of small lanes and a varied development pattern. Some buildings are built close up to their frontages while others are set in more extensive plots and there is an interplay of buildings and public or private open spaces within the village. Most of the village is included in the Staverton Conservation Area and some areas are identified as "important open space".
4. The appeal site forms part of the grounds of 'The Croft', a large house built of ironstone under a tiled roof. It dates from 1700 and is listed (Grade II) as a building of special architectural or historic interest. The house stands in extensive gardens, set with mature planting, that extend to the edge of the Conservation Area to the north. A belt of mature trees marks the western boundary of the garden, alongside the access to 'Staverton Hall'.
5. The property includes a small group of ancillary buildings to the south-west of the house itself, comprising a garage, greenhouse and other outbuildings, though these are of limited architectural interest. The appeal proposals would involve the demolition of the garage and outbuildings and the construction of a

- new house and garage to the west of 'The Croft', in an area that is mainly laid out as a lawn, at present.
6. 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.
 7. 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'.
 8. Policies in the Development Plan also reinforce the underlying principles that are established in the primary legislation and the 'National Planning Policy Framework'. Thus, Policies S10, BN5 and R1 of the 'West Northamptonshire Joint Core Strategy Local Plan' all identify the need to protect the historic heritage (among other things), as do "saved" Policies in the 'Daventry District Local Plan' (notably Policies GN2 and EN2).
 9. The proposed new house would be built to the west of 'The Croft', the area of the existing lawn, with a new access being created through the existing garage group, where a new double garage would also be erected, in association with the new house. In itself, the new house would be an attractive building, traditional in character, of ironstone under a dark brown plain tile roof, with rooms at first floor within the roof pitch, thus reducing its overall height. Its garage would be of matching construction.
 10. The plot is separated from the retained garden of 'The Croft' by an established laurel hedge that would be retained along the new northern boundary, while a large yew tree stands between the new plot and the listed building. Mature trees on the western boundary would also be retained, alongside the access to 'Staverton Hall'. An established hedge marking the boundary with two properties to the south of the plot has been partially removed, though it could be reinstated in some way, presumably.
 11. A good degree of visual separation between the new dwellinghouse and 'The Croft' would be provided by the existing laurel hedge and the yew tree, though the grounds of the historic house would be somewhat diminished by the complete severance of the new plot. Moreover, the existing garage and outbuildings are not of such quality that their removal would be regrettable (though any replacements would need to be carefully considered, of course).
 12. Nevertheless, the new house would be cramped on its site. It would have only a very modest private garden to the rear and side of the house, dominated in any case by the trees on the western boundary. Moreover, the house would be relatively close to the existing houses to the south, which have small back gardens (where part of the boundary hedge has been removed).

13. Thus, the new building on its plot would have a cramped character in the village context, undermining the interest and appearance of the Conservation Area and impinging on an important open space within the Conservation Area that lends to its character. The scheme would fail to either preserve or enhance the character and appearance of the Conservation Area but, on the contrary, would cause actual harm to its character and appearance. The loss of the more spacious setting of 'The Croft' would reinforce these objections.
14. The fact that a useful new residential unit would be created weighs in favour of the appeal but, nevertheless, I am convinced that the harm that would be done to the Conservation Area and the historic setting is of particular importance in this case and that this harm outweighs the benefits of the project. Hence, I have concluded that the scheme before me would conflict with the aim of protecting the historic environment which is established in primary legislation and set out in Section 12 of the 'National Planning Policy Framework' and reinforced by policies in the Development Plan.
15. I am convinced, therefore, that the appeal must fail and, although I have considered all the matters that have been raised in the representations (including the impact of the proposals on traffic in Croft Lane), I have found nothing to cause me to alter my decision.

Roger C Shrimplin

INSPECTOR