
Appeal Decisions

Site visit made on 6 September 2016

by I Radcliffe BSc(Hons) MRTPI MCIEH DMS

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

Decision date: 31 October 2016

Appeal A - Ref: APP/Z2830/W/16/3155557 **Land off Ashton Road, Roade, Northamptonshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval to details required by a condition of an approval.
 - The appeal is made by Persimmon Homes Limited against the decision of South Northants District Council.
 - The application Ref S/2016/0066/COND, dated 10 November 2015, sought approval of details pursuant to condition No 3 of a reserved matters approval Ref S/2015/0664/MAR, granted on 10 September 2015.
 - The application was refused by notice dated 30 March 2016.
 - The development proposed is demolition of existing buildings and residential development comprising of 292 dwellings (current outline planning permission Ref S/2016/1063/EIA).
 - The details for which approval is sought are: the natural limestone to be used to construct the external walls of the dwellings, garages and boundary walls (as shown on the approved materials layout AR-M01 Rev H) and how it is to be laid, dressed, coursed and pointed in accordance with a sample panel (minimum 1 metre squared in size) that is to be constructed on site and inspected and approved in writing by the Local Planning Authority before the development hereby permitted takes place.
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Appeal B - Ref: APP/Z2830/W/16/3151856 **Land off Ashton Road, Roade, Northamptonshire**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval to details required by a condition of an approval.
 - The appeal is made by Persimmon Homes Limited against the decision of South Northants District Council.
 - The application Ref S/2016/0753/COND, dated 17 March 2016, sought approval of details pursuant to condition No 2 of a reserved matters approval Ref S/2015/0664/MAR, granted on 10 September 2015.
 - The application was refused by notice dated 19 May 2016.
 - The development proposed is demolition of existing buildings and residential development comprising of 292 dwellings (current outline planning permission Ref S/2016/1063/EIA).
 - The details for which written approval is sought are: representative samples of concrete plain roof tiles, including ridge tiles, to be used in the construction of the dwellings and garages as shown on the approved materials layout AR-M01 Rev H. The development is to be carried out in accordance with the samples so approved.
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Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is allowed and the details of the concrete plain roof and ridge tiles, submitted pursuant to condition No 2 attached to reserved matters approval Ref 2/2015/0664/MAR granted on 10 September 2015 in accordance with the application dated 17 March 2016 (as amended) are approved.

Procedural matter

3. The application in Appeal B proposes to change the roof tile approved under reference S/2015/2222/COND from a Marley Eternit concrete plain roof tile in Natural Red (single tile) to a Forticrete Gemini in Mixed Russet (duo roof tile). The application did not seek any alterations to the approved Marley Eternit concrete ridge tile in Natural Red which was also approved under reference S/2015/2222/COND. At appeal stage though the appellant has confirmed that it is the company's intention is to use the Forticrete half round concrete ridge tile, shown on page 26 of the Forticrete brochure, in the colour of Mixed Russet to match the colour of the proposed roof tiles.
4. The inclusion of the proposed ridge tile is a minor amendment and the nature of the concerns from those who would normally have been consulted are clear from consultation on the original application. I therefore do not consider that their interests would be prejudiced if I took this amendment into account. I have therefore determined the application on the basis that the proposed ridge tile would be the Forticrete half round concrete ridge tile in Mixed Russet as described above.

Main Issues

Appeal A

5. The main issue in this appeal is the effect of the proposed limestone, laid as shown on the sample panel, on the character and appearance of the area.

Appeal B

6. The main issues in this appeal are;
 - the effect of the proposed concrete roof tile on the character and appearance of the area; and,
 - whether the proposed concrete roof tiles complies with the requirements of the section 106 agreement, and if it does, whether its use should result in an increased contribution towards affordable housing.

Reasons

7. Of the various development plan policies, I consider policies G3 and EV1 of the South Northamptonshire Local Plan ('Local Plan') and policy H1 of the West Northamptonshire Joint Core Strategy ('Core Strategy') to be the most relevant to both appeals. These policies require the protection of the character and appearance of a locality through high quality design that respects local design features.
8. Roade is a compact nucleated village and the appeal site is a large area of previously developed land, slightly over 11 hectares in size, located on its southern side. As a result, the development, which is under construction, is in the process of creating a prominent new gateway to the village on the approach along Ashton Road. As a consequence, it is important that the external materials used in the construction of the dwellings within the appeal site are sympathetic to those used in the village.

Appeal A

Character and appearance

9. A significant proportion of buildings of different ages within the village are built from local limestone rather than brick built. It is an attractive and distinctive feature of many of these buildings that the stone is laid in dressed rubble courses. The resulting natural variation to all surfaces of the stone, together with the varied depth of each course, provides interest and is in keeping with the local vernacular. Some buildings, most notably from the latter part of the last century, are constructed from limestone that is more dressed with straight sawn cut upper and lower surfaces together with courses laid in a limited range of depths. This has resulted in buildings where the stone work has a more brick like appearance which is out of keeping with the local vernacular.
10. The supplementary planning guidance 'Residential Design in the Countryside' (SPG) was produced in response to concerns that the design of new housing development in rural areas was not successfully integrating with the traditional character of villages. Although this guidance was produced in 1998, in seeking good design that reinforces local distinctiveness it is consistent with the National Planning Policy Framework ('the Framework'). I therefore attach significant weight to it. At paragraph 3.3 the SPG notes that it is important to follow the traditional methods of laying stone i.e. dressed rubble in courses of varying depth.
11. Development on the smaller eastern side of the site is well underway. Here the use of light grey guillotine cut local limestone from Churchfield Quarry, Oundle which has slight blue tones was approved by the Council. Unlike sawn cut stone, guillotine cut stone has an irregular surface on all sides which provides far more natural variation in course height and avoids the horizontal emphasis apparent in sawn cut stone.
12. If the appeal is successful, the appellant proposes to construct the 60 or so houses to be built of stone on the larger western side of the site from sawn cut limestone laid in a limited range of depths as shown on the sample panel. This would be distinctly at odds with the local vernacular of dressed rubble courses in the village. This vernacular has been reinforced by the use of guillotine cut stone on the newly built houses on the eastern side of the site.
13. Sourced from the Cotswolds, the proposed stone is not a local limestone. Photographs of limestone buildings in the village have been submitted by both main parties in support of their respective cases. I have taken these into account, together with my own observations during the site visit. Taken as a whole, I find that the village is characterised by limestone that is more grey to cream in colour, weathering with age to a mild cream to yellow, rather than the stronger cream to yellow of the stone used in the sample panel. As a result, its tone of colour is different to that which typifies the village. Furthermore, the mortar shown on the sample panel is too dark to be in keeping with that used on limestone buildings in the settlement.
14. Sawn cut stone is easier sort and lay on site. As such it is favoured by volume house builders. However, a core planning principle of the Framework is that high quality design should be sought. Where appropriate, as in this instance, this includes responding to local character and promoting or reinforcing local distinctiveness. In my judgement, the harm that would be caused to the character and appearance of the area by using sawn cut stone would continue long after the benefits of being able to use this easier material have faded.

15. Taking all these matters into account, I therefore conclude that the dressing and colour of the proposed limestone, together with the regular depth of its courses and the colour of its mortar, as laid in the sample panel, would not be sympathetic to Roade and would not reflect the local vernacular. As a result, it would unacceptably harm the character and appearance of the village, contrary to policies G3 and EV1 of the Local Plan, policy H1 of the Core Strategy and the SPG. For the same reasons it would also be contrary to a core planning principle of the Framework and the Roade Master Plan, both of which seeks a high standard of design in relation to new development.

Appeal B

Character and appearance

16. The village is characterised by a variety of roofing materials with slate predominating. The supplementary planning guidance 'Residential Design in the Countryside' (SPG) notes that in rural areas slate and plain tiles are commonly found. The section 106 agreement in relation to the roofing material to be used in the development reflects this, requiring 63% of the units to be roofed in either natural or artificial slate, and the remaining 37% to be roofed in concrete plain tiles. The appeal relates to the approval of the type and colour of concrete roof and ridge tiles to be used.
17. On the eastern side of the site, where buildings are approaching completion, the use of Marley Eternit concrete plain tiles and half round ridge tiles has been approved. Several of these buildings have already been roofed in these tiles. The appeal proposal is that instead Forticrete Gemini interlocking concrete twin plain tiles are used with Forticrete half round concrete ridge tiles. The Council does not object to the Mixed Russet colour of the proposed tiles. On the basis of the Natural Red colour of the approved concrete plain roof and ridge tiles that have already been used, and the colour of plain tiles elsewhere in the village, I find that Mixed Russet would complement existing development.
18. The proposed plain tiles with their cambered design have a very similar shape and size to two of the approved plain concrete tiles placed together. Although there were no buildings roofed in these tiles on the appeal site to view, I was referred to a new development where they have been used¹. As would be expected from their design I saw that when laid the appearance of the Gemini tiles with their cambered lower edge are very similar to the Eternit tiles. The only difference, which is just discernable, is that the groove down the middle of the Gemini tiles means that when laid they retain the appearance of individual tiles, whereas the single plain tiles butt up so closely to each other that they appear to merge into a single continuous row. However, this is a minor difference that is not prominent. The proposed half round ridge tiles are plain and unadorned. Consequently, their shape is the same as the Eternit ridge tiles. As a result, the proposed tiles would complement those already used in the development and the roofing types present in the village.
19. Taking all these matters into account, I therefore conclude that the proposed concrete roof and ridge tiles would complement the character and appearance of development within the village in compliance with policies G3 and EV1 of the Local Plan, policy H1 of the Joint Core Strategy and the SPG. For the same reasons they would comply with a core planning principle of the Framework

¹ Roman Court, Old Stratford MK19 6AH

and the Roade Master Plan which seeks a high standard of design in relation to new development.

Affordable housing contribution

20. Of the various development plan policies referred to policies H2, INF1 and INF2 of the Core Strategy are the most relevant. Reference has been made to the section 106 agreement. It contains a 'Table of Design Uplifts' that, amongst other matters, requires the use of concrete plain tiles. In my assessment, the proposed roof tiles, made from concrete and plain in form, comply with this definition.
21. Less energy is used in the manufacture of Gemini tiles than Eternit tiles. As they are the size of two single plain tiles they require fewer wooden battens and are quicker to lay. This assists in reducing build costs. The view of the Council is that as a result of the savings that would occur a larger financial contribution should be made towards the provision of affordable housing. However, the proposed tile meets with the section 106 agreement's definition of a concrete plain tile and, unlike in relation to 'Exceptional Costs'², there is no provision within the agreement for this to happen.
22. For the reasons given above, and having considered policies H2, INF1 and INF2 of the Core Strategy and the supplementary planning document 'Developer Contributions' (SPD) which require the payment of contributions towards affordable housing and infrastructure, I therefore find that use of the proposed tile in the absence of an increased contribution towards affordable housing would not be contrary to the development plan or the SPD. An increase in the contribution towards affordable housing is therefore not required. For the same reasons the proposal would also not hamper the delivery of wide choice of high quality homes in accordance with section 6 of the Framework.

Other matters

23. The Council state that it is necessary for the appellant to put forward other considerations to justify the use of the proposed tiles. However, as I have found the proposed tiles would be acceptable in design terms, and would complement the character and appearance of the area, this is not necessary.

Ian Radcliffe

Inspector

² Defined in the section 106 agreement as costs in relation to foundations, demolition and other works in relation to preparation of the site