
Appeal Decisions

Site visit made on 6 February 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 22 February 2017

Appeal Ref: APP/G2815/W/16/3160004

4 Mill Road, Oundle PE8 4BW

- 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 Richard and Julia Buxton and Elcock against the decision of East Northants District Council.
 - The application Ref 16/1074/FUL, dated 27 May 2016, was refused by notice dated 15 July 2016.
 - The development proposed is demolish existing flat roofed single storey extension and outhouse, construct 2 storey extension with ground floor kitchen accessed as existing and first floor bathroom accessed through gable from master bedroom at first floor level extension.
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Appeal Ref: APP/G2815/Y/16/3160003

4 Mill Road, Oundle PE8 4BW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Richard and Julia Buxton and Elcock against the decision of East Northants District Council.
 - The application Ref 16/01075/LBC, dated 27 May 2016, was refused by notice dated 15 July 2016.
 - The works proposed are demolish existing flat roofed single storey extension and outhouse, construct 2 storey extension with ground floor kitchen accessed as existing and first floor bathroom accessed through gable from master bedroom at first floor level extension.
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Decisions

1. The appeals are dismissed.

Preliminary Matters

2. Additional designs are submitted with the appeals¹, showing differing schemes for consideration. The appellant states that the Council declined to discuss these designs. The designs show alternate roof schemes for the proposal, and I consider are substantially different to the scheme that was refused by the Council. Furthermore, I note that neither of the schemes have been consulted on by the Council, and therefore neither the Town Council nor near neighbours have had the opportunity to view the designs. For me to consider such schemes would therefore deprive such parties of the opportunity of consultation. Finally, the plans are submitted in sketch form and are not fully detailed. I do not therefore consider that it would be reasonable for me to

¹ Plans shown on pages 33 and 34 of the appellant's statement of case.

consider the designs as part of the appeals and I have based my decision upon the same plans that the Council did.

Main Issue

3. The main issue in both cases is whether the proposal would preserve the special architectural and historical interest of the Grade II listed building.

Reasons

4. No 4 Mill Road is group listed along with Nos 1-3 and 5-14 Mill Road. The other cottages in the listing are a row of 1 storey rubble built properties with stone slate roofs and hipped dormers, aside from Nos 3 and 5 which have gabled dormers. No 4 is an anomaly within the group, being set at right angles behind the main row and being a full 2 storey property. The house is accessed through a passageway between Nos 3 and 5, and the gables of the property can be clearly seen from Mill Road. The site lies within Oundle Conservation Area.
5. Internally the property has 3 stories, having additional rooms in the roof. The upper floors are accessed by a spiral staircase. The appellant is of the view that the house dates from earlier than the remainder of the row, which are described as dating probably from the early 17th century. Some Tudor detailing within the home lends some credence to this theory. Notable internal features, aside from the staircase, include fireplaces at ground and first floor level and an attractive small arched window in the eastern gable at attic level. At ground floor level on this eastern gable is a single storey flat roofed kitchen extension and attached lean to outhouse.
6. The special interest of the property derives partially from its role as part of the group of cottages on Mill Road, but also from the high quality of its external presence, its historical interest in being as an anomaly to the group and possible alternate history, and the many internal features present within the building.
7. The Planning (Listed Building and Conservation Areas) Act 1990 requires special interest to be given to the desirability of preserving a listed building and any features or architectural interest it possesses. Policies 2 (a-b) and 8 (d) i of the Joint Core Strategy² together state that where a development would impact upon a heritage asset and its setting, they should conserve and where possible enhance the heritage significance and setting of the asset in a manner commensurate to its significance and complement their surrounding historic environment through form, scale, design and materials, and respond to the sites context to create new buildings which draw on the best of local character without stifling local innovation.
8. Planning permission and listed building consent was granted in February 2016 for a scheme which would remove the one storey extensions to the east and construct a 2 storey extension. To avoid the chimney stack and second floor arched window the pitched roof of the scheme is asymmetric, with the southern pitch of the roof matching the main roof of the property but the northern pitch being shorter and shallower. The extension would be constructed in limestone random coursed ragstone with dressed quoins, and a roof of zinc sheeting with standing seams.

² North Northamptonshire Joint Core Strategy 2011-2031 July 2016

9. The proposal seeks a scheme with a substantially different roof form. Whilst the ground floor would remain as coursed limestone, the second floor and roof would be covered by a complicated hipped part mansard roof, the effect of which would bring the roofline close to the corner of the curved window, whilst reducing some of the bulk of the approved gable ended extension to the north and south. The covering for the mansard roof would be coated copper sheeting with standing seams.
10. The appellant considers that an approach to refuse contemporary design is unfortunate, and that the approved scheme in matching older design but with differing roof pitches does not take advantages of modern materials or design. However, whilst not an ideal form for a subservient roof, the extant scheme provides a design solution that retains a gable end and one roof slope to match the existing dominant gable end. The size of the permitted scheme also remains fully subservient to the original property, and whilst the roof form would be different, performs admirably in introducing some elements of modern materials and innovation whilst responding to the host property.
11. However, the complicated roof design of the proposal, introducing not simply a mansard roof on the northern plane, but a hipped mansard with a longer extension on its south eastern corner side would appear overly fussy and detract from the simplicity and traditional form of the host building. Such effect would be added to by the proposed roof covering. Whilst I note that the coated copper proposed would not be of a 'traditional' copper colour and that the material would weather to a darker colour, the sheer extent of the roof covering when set against the light limestone ground floor and host property would contrast adversely and draw attention away from the main building, causing harm to the significance of the building by its form, design and materials. I also disagree that the proposal would give more prominence to the curved window – the roof line would be close and the complicated roof form would draw attention away from the simple small window.
12. I note that the rear of the appeal site backs onto more modern development on South Bridge Close. Whilst such development is within the setting of the heritage asset, I do not consider that this justifies the design approach of the appeal proposal. The proposed extension would be seen in the context of the listed building and would detract from its immediate surrounding historic environment of not just No 4, but also the neighbouring listed cottages. The appellant states that tiles could be conditioned if necessary instead of the proposed copper. However, it is not clear what design tiles would be proposed, or how they would sit over the various roof planes of the proposal. Moreover they would not alter the roof form itself.
13. The National Planning Policy Framework (the Framework) makes it clear that when considering the impact of a proposed development on the significance of a listed building, great weight should be given to its conservation. Significance can be harmed or lost through alteration of the heritage asset or by development within its setting, and as they are irreplaceable, any harm should require clear and convincing justification. The proposal would have a limited effect on the historic fabric of the property and harm caused to its significance would thus be less than substantial. I conclude nevertheless for the reasons given above that the proposal would fail to preserve the special interest of the listed building, and in so doing would also fail to preserve the historic character

and appearance of the conservation area to which the property makes an important contribution.

14. In such situations this harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. It is put to me that the reduced bulk of the design over the approved scheme has advantages not only in design, but also in terms of reducing any adverse effects on the outlook of neighbouring occupants. It is clear that the overall scheme is less bulky in terms of volume. However, whilst this may marginally improve outlook for neighbouring residents, such an effect would not be significant. Other public benefits of the scheme in terms of economic development and the removal of the existing unsympathetic 1 storey extension would also be achieved by the extant scheme. As a consequence, what public benefits there might be are insufficient to outweigh the harm caused.
15. I am directed to rear and side roofs of nearby properties which have been allowed tiles and non-traditional designs. Whilst I noted some of these designs on my site visit, for the reasons given above I consider that the proposal in this case would cause harm to the listed building. Furthermore I also note that the approved scheme is not fully traditional.

Conclusion – Appeals A and B

16. To summarise I consider that the proposed extension would cause less than substantial harm to the significance of this Grade II listed building, and would not preserve its special architectural or historic interest. It has not been shown that public benefits would outweigh this harm, and the proposal would conflict with the Framework and the Joint Core Strategy policies 2 (a-b) and 8 (d) i. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeals should fail.

Jon Hockley

INSPECTOR