
Appeal Decision

Site visit made on 14 March 2017

by David Troy BSc (Hons) MA MRTPI

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

Decision date: 4 April 2017

Appeal Ref: APP/Z2830/W/16/3165000

Bridge Lake Fishery, Wardington Road, Chacombe OX17 2JU

- 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 M Brown & Mr G Wood against the decision of South Northants District Council.
 - The application Ref S/2016/1438/FUL, dated 27 May 2016, was refused by notice dated 22 August 2016.
 - The development proposed is change of use of former commercial fishery to dwelling and erection of single storey extension (revised scheme to approved S/2016/0137/FUL).
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the development on the character and appearance of the railway arch and area.

Reasons

3. The appeal site comprises a disused brick railway arch under an embankment located in an isolated rural location and accessed via a long track from Wardington Road. The railway arch has previously been converted to an office for use in conjunction with the commercial fishery at the site which has ceased use. The appeal site is set in attractive countryside, defined by gently undulating fields punctuated by hedgerows and tree boundaries.
 4. Planning permission has been granted and remains extant for the conversion of the existing railway arch to a one-bed dwelling and no work has yet commenced in respect of this proposal. However, the proposal now entails the change of use and the construction of a single storey extension that would project out from the north elevation of the railway arch with a terrace over and a sunken patio and external decking to the south. The external contemporary finish of the extension would be predominantly constructed from timber cladding and glass.
 5. Of the various development plan policies, I consider Saved Policies G3, H6, EV1, EV2 and EV16 of the South Northamptonshire Local Plan 1997 (LP) to be most relevant. These policies allow the re-use and conversion of rural buildings and the protection of the character and appearance of existing buildings and the locality through high quality design that respects local design features.
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These policies, even though the LP is now quite dated, support the re-use of redundant or disused buildings in rural areas and seek good design that respects the local character and reinforces local distinctiveness and are consistent with aims of the National Planning Policy Framework (the Framework). I do not consider that Policy H17 of the LP that relates to residential extensions in the context of an existing dwelling is directly relevant to this case. The Council's Supplementary Planning Document on the Re-use of Rural Buildings for Residential Use 2011 (SPD) states that in accordance with the saved LP policies, proposals must not cause harm to the original building and the local area in terms of appearance, character and setting.

6. The proposed extension, by virtue of its scale, siting and design, would be a significant addition relative to the railway arch and would fail to achieve an appropriate degree of subordination to the existing structure. The contemporary appearance and materials used would appear very much at odds with the traditional form and appearance of the existing structure. Despite the extensive use of glazing, such positioning would impact on the character and appearance of the original structure by further obscuring the brick railway arch. These shortcomings would be exacerbated by the various external works which would impact on its immediate rural setting. As such, I consider that the proposed extension would detract from the architectural integrity of the original structure and would cause unacceptable harm to the character and appearance of the railway arch and its immediate rural setting.
7. I have considered the appellants arguments that the style, form and materials to be used on the extension are intended to complement the traditional character of the railway arch and those more modern materials previously approved. I also note have considered the appellants comments regarding the unusual nature of the existing structure and the more innovative approach taken to the conversion of the building.
8. Whilst I recognise that the railway arch is not a listed building and that the proposed development would not be publicly visible, nor lie in any designated landscape area and would have a limited impact on the wider landscape setting of the village of Chacombe, this does not set a precedent for such an inappropriate development in this location. I consider that the contemporary-styled extension would be unrepresentative of the overall traditional character of the railway arch and the additional external works would create an adverse impact on the character of the railway arch and its rural setting for the reasons set out above.
9. I have considered the appellants comments regarding the context provided in the Framework and the local planning policies for good design and that planning decisions should not attempt to impose architectural styling and should not stifle innovation, originality or initiative in design, but I find that the extension does not achieve the standards the Framework and the local policies seek. I also note the appellants willingness to make amendments and the revised scheme put forward removing some of the oak timber cladding against the brick railway arch but do not consider this would overcome the adverse effects outlined above. I therefore accord these matters limited weight.
10. Consequently, I conclude that the proposed extension would cause harm to the character and appearance of the railway arch and area. It conflicts with Saved Policies G3 (A), H6 (III), EV1, EV2 and EV16 (I), (III) and (IV) of the LP and

the Council's SPD. These policies and guidelines, amongst other things, seek to ensure that proposals for the conversion of rural buildings are of a good design that are sympathetic and compatible in terms of type, scale, siting, design and materials with the existing character of the building and the locality.

11. In addition, it would not accord with the aims of the Framework that seek to secure a high quality of design (paragraph 17); allow the re-use of redundant or disused buildings in rural areas where it would lead to an enhancement to the immediate setting (paragraph 55); that respect the local character (paragraph 58); and promote or reinforce local distinctiveness (paragraph 60).

Other matters

12. I have noted the previous planning appeals on the site drawn to my attention by the appellants for change of use of the disused brick railway arch to holiday let¹. I note the previous Planning Inspector's comments regarding Policy EV16 of the LP. However, paragraph 55 of the Framework in referring to buildings does not discriminate between the type of buildings (traditional or otherwise) that can be converted and the previous Planning Inspector's consideration of these matters took place some time ago in a different policy context.
13. I have considered the appellants comments on the fallback position on the appeal site. There is a reasonable likelihood that the appellants would implement the extant permission if the appeal is dismissed. Be that as it may, the scale of the previous approved scheme would not be as substantial as the proposal now before me and would have more limited impact on the character and appearance of the railway arch and its setting.
14. I also note the appellants preference to carry out the change of use and build the extension as a single operation. In this context, I note the appellants reference to an appeal decision in Buckinghamshire². This appeal decision, however, for the conversion of an existing barn and other buildings to form tourist accommodation has different development and locational characteristics to the appeal scheme and is not considered to be directly relevant to the case before me. I therefore accord these matters limited weight.
15. I have noted the objection raised by Chacombe Parish Council to the proposal. However, in light of my findings on the main issue of the appeal, my decision does not turn on these matters.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR

¹ APP/Z2830/C/01/1075982 and APP/Z2830/A/01/1075262

² APP/K0425/W/16/3150912