
Appeal Decision

Site visit made on 20 June 2017

by Louise Nurser BA (Hons) Dip UP MRTPI

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

Decision date: 29 June 2017

Appeal Ref: APP/Z2830/D/17/3175138

Newbottle Lodge, Newbottle Road, Kings Sutton OX17 3DB

- 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 & Mrs Wedderburn against the decision of South Northamptonshire District Council.
 - The application Ref S/2017/0116/FUL, dated 12 January 2017, was refused by notice dated 9 March 2017.
 - The development proposed is hardwood glazed conservatory on back elevation.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I have been provided with copies of planning policies pertaining to East Hertfordshire District, a document entitled Planning Policy and Powers in the Green Belt, and the National Planning Policy Framework. However, the appeal site lies within South Northamptonshire District. Moreover, it is no part of the Council's case that the appeal sits within the Green Belt.

Main Issues

3. The main issues are the effect of the development on the setting of the gate piers which are listed grade II, and on the character and appearance of the host property which is a non-designated heritage asset within the open countryside.

Reasons

4. The host property is a former lodge which has already been substantially extended over and above its original size. However, from what I observed at my site visit, this had been sympathetically undertaken. Consequently, the building which is a non-designated heritage asset retains a simple plan and form. In isolation, each elevation appears modest in scale, consistent with its former use as a lodge, associated with the adjacent entrance and gates, set within an area of open countryside.
5. Paragraph 135 of the Framework states that in weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6. The adjacent gate piers are grade II listed. In determining this appeal, I must also have special regard to the desirability of preserving the building (gate piers) or its setting.
7. The proposed development of an orangery would not have a direct impact on the fabric of the gate piers. However, it would further extend the lodge, which is inextricably linked both visually and functionally to the listed gate piers, by an additional 16%.
8. The proposed development would fill the gap between the kitchen and bedroom 1 and the utility room. As a consequence the western elevation of the kitchen and the southern elevation of bedroom 1 would be obscured. I am aware that the orangery has been designed to be visually separate; that the proposed development would include a substantial level of glazing and that the materials would be in keeping with those elsewhere on the lodge. However, an orangery would appear incongruous on a former lodge and inconsistent with its modest and simple design which reflects its previous role. Moreover, due to its size and design, including a roof lantern, it would substantively adversely impact on the visual balance of the lodge and would compete with, and detract from, the important eastern elevation of the original building, and be a suburbanising influence.
9. As such, the proposed development would substantively alter the character, scale and appearance of the former lodge. This would erode its distinctive appearance and character within the open countryside, which has a significant role in the setting of the gate piers as it reinforces the functional link between the two.
10. I consider that this harm to the setting of the listed building would be less than substantial. I must weigh this harm against the public benefits of the proposal. I appreciate that the appellants wish to construct an orangery to take advantage of the views over the open countryside. However, this is a private benefit and I note that there are already windows which benefit from this view. Consequently, this private benefit would not outweigh the harm to the significance of the setting of the grade II listed piers, which would in turn fail to preserve the setting of the listed building. Nor would the private benefit outweigh the harm I have identified to the non- designated heritage asset.
11. Consequently, the proposed development due to its scale, design and adverse impact on the non- designated heritage asset, and the setting of the grade II listed building, together with its location in the open countryside, would be contrary to saved Policies G3, H17, EV1 and EV12 of the South Northamptonshire Local Plan adopted 1997. These require developments to be compatible with the existing character of the locality, be of an appropriate scale, and to preserve and enhance the setting of listed buildings, which I find to be broadly consistent with the provisions of the Framework, and therefore I accord them substantial weight. In addition, the proposed development would be contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) adopted 2014 which requires that designated and non-heritage assets and their setting be conserved and enhanced.

Conclusion

12. For the reasons set out above I conclude the appeal should be dismissed.

L. Nurser

INSPECTOR