
Appeal Decisions

Site visit made on 9 January 2018

by Richard S Jones BA (Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2018

Appeal A Ref: APP/Y2810/W/17/3179450

The School House, Church Lane, Old, NN6 9QZ

- 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 and Mrs Cawley against the decision of Daventry District Council.
 - The application Ref DA/2017/0030, dated 9 January 2017, was refused by notice dated 15 March 2017.
 - The development proposed is the demolition of existing two storey rear extension. Construction of replacement two storey rear extension.
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Appeal B Ref: APP/Y2810/Y/17/3179456

The School House, Church Lane, Old, NN6 9QZ

- 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 Mr and Mrs Cawley against the decision of Daventry District Council.
 - The application Ref DA/2017/0031, dated 9 January 2017, was refused by notice dated 16 March 2017.
 - The works proposed are for the demolition of existing two storey rear extension. Construction of replacement two storey rear extension.
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Decision

1. Both appeals are dismissed.

Preliminary Matters

2. I have used the description set out in the in the Council's decision notices, which more succinctly describe the nature of the development and works.

Main Issue

3. The main issue for both appeals is the effect of the proposed works on the special architectural or historic interest of the listed building.

Reasons

4. The School House is a two-storey Grade II listed building dating from the mid-18th Century. It is constructed from squared course ironstone, with ashlar gable parapets and kneelers. It has a plain tile roof and two brick chimney stacks and was previously used as the School Masters House.

5. The building has been extended to the side with a painted brick lean-to extension and a modern glass and stone kitchen extension, and to the rear with two storey flat roof extension, finished in painted brickwork.
6. In considering the effects of the proposed works and development, sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
7. Taken in isolation, the ground floor part of the proposal would be in keeping with the existing side kitchen extension in terms of its design and appearance. However, the existing kitchen extension is single storey, and utilises a visually light weight glass link to connect it to the side lean-to extension, thus providing a clear separation and subservient relationship between the main original form of the listed building and the modern kitchen extension.
8. In contrast, the appeal proposal would be mainly two storey in scale and would significantly increase the footprint of the dwelling and its floor space. Its very boxy and angular form would be directly attached and more imposing in relation to the relatively modest scale of the original building. I accept that the contrasting styles would allow the extension to be clearly read as a new addition to the host building. However, in my judgement it would be too large and too dominant and therefore would not achieve a subservient relationship with the historic core of the listed building.
9. The size and design of the first floor extension would also contrast with that of its ground floor with much less glazing, differing materials and a more solid appearance. Along with the existing side lean-to extension, and the modern kitchen extension and ground floor element, it would further add to the variety of designs emanating from the original structure. This would create a confused mismatch of styles that would overwhelm and detract from the original building and significantly alter its form.
10. The cumulative effects would be that the modern extensions would become the dominant and readily identifiable features at the side and rear of the building, more so than the original historic core of the listed building, thereby drawing attention away from it and unacceptably undermining its significance. Such harm would not be materially alleviated by the proposed materials or by reducing the height of the first floor extension by 100mm.
11. The existing two storey rear extension envelops part of the gable parapet referred to in the listing description, which is of special interest. The proposed extension, whilst set back from the outer edge of the gable, would still conceal part of the inner edge of the gable parapet. It would also project above the height of the existing extension where it meets the gable parapet and the pitch of the roof. The proposal would not therefore re-establish the original character of the gable parapet as suggested and in overall terms any enhancement would be relatively limited.
12. Whilst changes may have been made to the scheme in response to comments received from the Council's Conservation Officer, it is clear from the comments made by the same that significant objections remain and these are largely consistent with my own.

13. I accept that the existing rear two storey extension does not positively relate to this listed building. Nevertheless, it is substantially smaller than that currently proposed and having regard to my above findings, the resultant harm arising from the appeal proposal would outweigh the potential benefits of its replacement.
14. I also note that the Council's Conservation Officer has highlighted the importance of the setting of the listed building, and in particular its relationship to the Grade I Listed Church of St Andrew, located on the opposite side of Church Lane. The submitted road view perspective illustrates that the first floor element of the extension would be visible from Church Lane, above the existing boundary wall, more so than the existing extension, with a strongly contrasting design. This would draw some attention away from the church and would appear as an alien feature in this locality. I accept that the highly significant Church would remain the dominant feature in this view and the proposed cedar shingles at first floor level would in time assist in reducing the degree of harm. Nevertheless, this is a matter which adds to my above concerns.
15. I therefore conclude that the proposal would fail to preserve the special architectural interest of the listed building, contrary to the expectations of the Planning (Listed Buildings and Conservation Areas) Act 1990, the desirability of which is a consideration the Courts have determined as a matter of considerable importance and weight. Moreover, it would fail to accord with the expectations of paragraphs 128, 129, 131 and 132 of the National Planning Policy Framework (the Framework) which, amongst other matters, also anticipate great weight being afforded to the conservation of designated heritage assets. For the same reasons the proposal would conflict with Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) and Saved Policy GN2E of the Daventry District Local Plan (DLP), which reflect these statutory and national policy objectives. The proposal would also be contrary to DLP Policies EN42C and GN2A, which state, amongst other matters, that planning permission will be granted for development that blends well within the site and its surroundings. It follows that I also find conflict with section 7 of the Framework, which requires the integration of new development into the natural, built and historic environment.
16. As the appeal proposal does not fall within a conservation area, the Council's reference to paragraph 127 of the Framework in its reason for refusing planning permission is not directly relevant to the issues currently before me. Moreover, I am not aware of any deliberate neglect or damage to the listed building such that paragraph 130 of the Framework would be relevant.

Planning balance and conclusion

17. In accord with paragraphs 133 and 134 of the Framework, it is for the decision maker, having identified harm to designated heritage assets, to consider the magnitude of that harm. In this case I conclude that the proposal would lead to less than substantial harm. In such circumstances the Framework requires that any identified harm is weighed against any public benefits the works might secure.
18. In this regard, I acknowledge that the proposal would improve the layout and function of the building for its occupants. Whilst this would essentially amount to a private benefit, it would translate to a limited public benefit arising from an

improvement to the housing stock within Old. Although the appellant states that the proposal would protect and sustain the heritage value of the building, I have no evidence to suggest that in the event of me dismissing the appeals that such matters would be undermined.

19. I accept that the proposal would not result in any material harm to the living conditions of neighbouring occupants. However, the lack of such harm is a neutral matter in the planning balance and as such cannot weigh in favour of the appeal proposal.
20. I therefore conclude that the benefits of the proposal would not be sufficient to outweigh the harm identified to the significance of the heritage asset.
21. For the reasons explained, and having considered all matters raised, I conclude that both appeals should fail.

Richard S Jones

INSPECTOR