
Appeal Decisions

Site visit made on 9 December 2019

by Jonathan Hockley BA (Hons) DipTP MRTPI

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

Decision date: 20 December 2019

Appeal Ref: APP/Y2810/W/19/3228397

Home Farm, Francis Row, Upper Stowe NN7 4SL

- 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 Newitt against the decision of Daventry District Council.
 - The application Ref DA/2017/0781, dated 1 August 2017, was refused by notice dated 14 March 2019.
 - The development proposed is the construction of underground garage and workshop and demolishing and rebuilding boundary wall.
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Appeal Ref: APP/Y2810/Y/19/3228395

Home Farm, Francis Row, Upper Stowe NN7 4SL

- 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 Newitt against the decision of Daventry District Council.
 - The application Ref DA/2017/0782, dated 1 August 2017, was refused by notice dated 14 March 2019.
 - The works proposed are the construction of underground garage and workshop and demolishing and rebuilding boundary wall.
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Decision

1. The appeals are dismissed.

Main Issues

2. The main issue in both cases is whether the proposal would preserve the special architectural and historical interest of the Grade II listed building. A further main issue for Appeal A is the effect of the proposal on the character and appearance of the area.

Reasons

3. Upper Stowe is a small village essentially centred on two roads, Main Street and Francis Row. Francis Row is a dead-end road whose junction off Main Street is framed visually by St James Church. The village has a range and age of properties within it, but generally the buildings become older the closer to the road junction. Francis Row is a fairly narrow lane which heads south and then curves to the east. The southern element of the lane in particular is characterised by fairly steep banks and strong boundary features with relatively few gaps to such features.
 4. Home Farm is sited at the bend of Francis Row and is a Grade II listed early 18th century farmhouse constructed in coursed limestone rubble and ironstone.
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The property is two storeys with an attic under a tiled roof and has a three-window range in its south facing façade. The house has a single storey extension on its west side. Detached barns to the west and south of the Farmhouse were separated and converted into residential use in the late 20th century. The farmhouse is simple in form but traditionally designed and constructed in the local vernacular. The siting of the house at the bend of the lane, and the property's 2½ storey height set above the lane makes the house a strong presence in the street scene. The setting of the house includes the former farmyard and barns to the south, as well as elements of Francis Row to the east and north.

5. The property's rear garden lies to the north of the house, and is bordered by a tall stone boundary wall on its east side, separating the garden from the fairly steep bank leading down to Francis Row. The wall, although appearing superficially to have been maintained in a less sympathetic manner than the farmhouse, is clearly linked to the listed building and forms part of the significance of the heritage asset.
6. Saved Policy GN2 of the Daventry District Local Plan, 2007 (the Local Plan), states that permission will normally be granted for development provided that it does not adversely affect a building listed as being of architectural or historic interest. The Planning (Listed Building and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving a listed building or its setting or any features of architectural or historic interest it possesses. Policy BN5 of the West Northamptonshire Joint Core Strategy, 2014 (the Core Strategy) states that designated heritage assets and their settings will be conserved and enhanced.
7. The proposal seeks to construct a primarily underground garage, taking advantage of the height differences between the lane and the property's rear garden to allow access to be made off Francis Row into the garage, which would be set underneath the garden. The garage would have two wooden doors for access, flanked by a timber gate on its south side to provide pedestrian access to the garden. The boundary wall would be demolished and rebuilt around the garage using the same stone where possible and lime mortar.
8. The scale and consequent visual extent of the proposals would make a significant change to the character and appearance of the surrounding area and to the setting of the listed building. The two garage doors and side gate would cumulatively adversely affect the character of the area and the significance of the listed building, with the width of the alterations appearing in plan form to be at least as wide as the side gable of Home Farm. This would dominate the street scene, changing the emphasis from the vertical height of the side gable of Home Farm to the horizontal extent of the scheme. When coupled with the remodelling of the grass bank that the proposal would entail, the scheme would change the character of the lane from a small rural accessway to that of a more suburban, modern character, despite the proposed timber doors.
9. 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 development within its setting and any harm should require clear and convincing

justification. For the reasons given above, I consider the proposal would result in harm being caused to the setting and the significance of this listed building. However, given that the original fabric of the building would be retained, I am satisfied that the degree of harm caused would be less than substantial.

10. In such situations this harm should be weighed against the public benefits of a proposal, including securing the asset's optimum use. Evidence is provided of the lack of parking available to the appellant due to various historical reasons, with one space at the front of Home Farm provided, but this not being large enough for the appellant's vehicle. This leads to parking occurring at the side of the house on the start of the bank. I can appreciate that this in itself is not particularly attractive and that any more vehicles for visitors to the property could find it difficult to park safely on or near the narrow lane. I also note however that the plan provided of a previously consented garage does appear, from the details provided, to be considerably smaller than that now proposed.
11. The proposed garage would also improve the facilities available to the appellant and in doing so contribute to continuing custodianship. While the facilities available to the appellant would not necessarily constitute a public benefit, I can appreciate that helping to resolve a parking issue which itself could cause harm to the character and appearance and highway safety of the area is a public benefit, noting the support of the Parish Council in this respect. My attention is also drawn to the emerging Village Design Statement (VDS) to which the Parish Council state that the proposal would be in accordance with for off street parking purposes.
12. Evidence is also provided of current fuelling arrangements. Heating of the property relies on oil deliveries and these have to be piped through the single storey side extension to the tank in the rear garden. Such deliveries are becoming more problematical with many companies refusing to pump through houses for health and safety reasons, and there is a risk of spillage causing damage to the heritage asset itself while pumping is in operation. While I attribute weight to this heritage benefit, a smaller opening to the wall such as the proposed side gate to the lower pathway adjacent to the rear of the house would presumably resolve this issue satisfactorily and also allow access for garden maintenance equipment and removal of garden waste.
13. I also note evidence over the structural condition of the wall. While on site, as above, I noted that repairs to the wall may not have been carried out previously in an entirely sympathetic manner and that repairs would need to be made to the wall regardless of the proposal. I am not convinced however that this would constitute a public benefit of the scheme if the wall is required to have works carried out on it anyway. Such works would generally be able to be carried out without causing harm to the character and appearance of the area or to the significance of the heritage asset.
14. The Framework notes that great weight should be given to the conservation of a heritage asset, irrespective of whether any potential harm amounts to substantial, less than substantial or total loss. While public benefits of the scheme exist, I am not convinced that they are sufficient to outweigh the great weight I ascribe to the less than substantial harm that the scheme would cause.

Conclusion – Appeals A and B

15. To summarise I consider that the proposal 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, Policy GN2 of the Local Plan, and Policy BN5 of the Core Strategy.
16. In respect of Appeal A, the proposal would also harm the character and appearance of the area and be contrary to Local Plan policies GN2 and EN42, which in this context when read together state that permission will normally be granted for development provided it is of a type, scale and design in keeping with the locality and the scale of the proposal ensures that the development blends well within the site and with its surroundings.
17. Therefore, for the reasons given above, and having regard to all other matters raised including the letters of support from neighbours, I conclude that the appeals should fail.

Jon Hockley

INSPECTOR