



Appeal Decision

Site visit made on 13 January 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2020

Appeal Ref: APP/G2815/W/19/3240665

Top Cut Barber, 33 High Street, Rushden, Northamptonshire NN10 0QE

- 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 Derya Duzgunoglu against the decision of East Northamptonshire District Council.
 - The application Ref 19/00430/FUL, dated 9 March 2019, was refused by notice dated 23 August 2019.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site is located on the west side of High Street and consists of a commercial unit and its associated curtilage which is largely covered in loose stone chippings. The building to the south of the site extends back beyond the rear boundary of the appeal site and there are also other buildings which project a significant distance rearward from High Street. There is also an accessway to the north of the site which allows access to a rear courtyard¹ which has other commercial uses accessed off it. This also provides access to Alfred Street to the rear.
4. The appeal site is located within the Rushden Conservation Area (RCA) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
5. From the evidence before me, the existing building has been identified as a building which positively contributes to the character of the RCA and from what I observed at my site visit, including the surrounding area, I have no reason to disagree with that view.
6. The proposed development would result in a significant increase in the amount of building footprint at the site. However, that would be set in the context of

¹ Marked as Coffee Tavern Court on the Site location plan

the adjoining building and as such I consider that such a rearward projection is not objectionable in principle.

7. Notwithstanding that, the proposal has been designed with a flat roof and this clearly does not reflect the character of the existing building. Furthermore, it does not reflect the prevailing building styles and the overarching character of the RCA. To that end, the overall design of the extension would result in harm to the character and appearance of the host building and the wider RCA.
8. In addition to the above, the proposal includes a large window in the rear elevation. Given that this would serve a storeroom it is unclear why such a window is necessary. That said, whilst I agree with the Council that this size of window is not characteristic of a rear extension, I am also conscious that it would be facing the courtyard where there is another commercial premise which has a large amount of glazing. Taking this into account, and that the application form sets out that the window would have a timber frame, I consider that this is a neutral factor in the consideration of the overall proposal.
9. In the context of the National Planning Policy Framework (the Framework), the level of harm I have identified must be considered to be less than substantial. Paragraph 196 of the Framework states that where a development would lead to less than substantial harm to the significance of a designated heritage asset (such as the RCA), this harm should be weighed against the public benefits of the proposal.
10. The Appellant has indicated that the development would enable the property to retain a good tenant without them needing to move for further space. It is also suggested that this would also be an optimum viable use of the premises.
11. At my site visit I noted that the appeal building was being used as a barbers shop and there is no evidence to suggest that such a use is likely to cease. Whilst I have no doubt that a larger premise may attract other users, to my mind, the public benefits of such (and/or the retention of a good tenant) can only amount to very limited public benefit.
12. Taking these benefits into account, I am of the opinion that the public benefits of the development, do not outweigh the harm I have identified to the character of the RCA or the host building.
13. For the above reasons the development would harm the character and appearance of the area, including the RCA, and would conflict with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy 2011-2031 (2016) and Policy EN1 of the Rushden Neighbourhood Plan (2018) which amongst other matters seek to protect, preserve and enhance the historic environment, respond to a sites immediate and wider context, and be of high quality design.

Conclusion

14. Taking all matters into consideration, I conclude that the appeal should be dismissed.

Chris Forrett

INSPECTOR