The Planning Inspectorate

Appeal Decision

Site visit made on 11 February 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2020

Appeal Ref: APP/H2835/W/19/3241798
Land adjacent to western edge of railway, off Station Road, Irchester, Wellingborough.

- 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 Willmott against the decision of the Borough Council of Wellingborough.
- The application Ref WP/19/00140/FUL, dated 14 March 2019, was refused by notice dated 12 June 2019.
- The development proposed is erection of an agricultural building and new access and retention of the hardcore and bunding left by Network Rail.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The site address provided on the application form is "130 High Street, Irchester, Wellingborough NN29 7AB" with easting and northing grid references provided. The site address provided on the appeal form is "Station Road, Irchester, Northamptonshire" with easting and northing grid references also provided, though these do not correspond with the grid references provided on the application form. The address given on the Council's decision notice is "Land adjacent railway and 136 Cornerfield Nursery, High Street, Station Road, Irchester, Wellingborough, Northamptonshire." The site is evidently off Station Road and not on or off High Street. The site is adjacent to the railway. However, it is not clear that any part of the site is adjacent to land associated with 136 High Street. Due to the lack of clarity I have used the following address in the header which, with reference to the plans, clearly identifies the site: Land adjacent to western edge of railway, off Station Road, Irchester, Wellingborough.

3. During the application process an amended plan was submitted to the Council, which moved the proposed building away from the south-eastern edge of the site and closer to the north-western boundary. For the avoidance of doubt, I have made my decision based on the amended plan.

4. One of the Council's reasons for refusal relates to the proposal having a harmful effect on the setting of a Grade I Listed Building (LB), St Katherine's Church. I note that Heritage England (HE) were not consulted on the application during the application process. In accordance with HE guidance for

it to be consulted on all applications potentially affecting the setting of Grade I LBs, HE was consulted during the appeal process. Comments were received and parties were given the opportunity to respond. I have taken account of the comments and responses received in reaching my decision.

Main Issues

5. The main issues are:

- the effect of the proposed development on the character and appearance of the area, with particular regard to the size, scale and design of the building, extent of hardstanding and bunding, and
- whether the proposed development preserves the setting of the Grade I Listed Building, namely the Church of St. Katherine.

Reasons

Effect on the character and appearance of the area

6. The site comprises what was, until recently, the south-eastern end of a field in agricultural use. When I undertook my site visit it was being used as a compound by Network Rail whilst undertaking work on the adjacent railway line. The field is one of several located between the rear of the buildings on the eastern side of High Street and the western side of the railway, which the site abuts. High Street, the historic core of the village of Irchester, is to the west. Two footpaths, TL14 and TL18, run from the southern tip of the site towards High Street, one in an east-west direction and the other in a south-east to north-west direction.

7. Notwithstanding the temporary buildings erected by Network Rail, except for a small residential development located off Station Road, Biscay Close, the view north from Station Road is one of gently undulating farmed slopes with expansive, panoramic views across the valley, towards the River Nene. The open fields between High Street and the railway make a significant contribution to the character of the area and provide a strong boundary feature to the settlement of Irchester, ensuring it is separated from its neighbours, Knuston and Rushden. Such views are characteristic of the surrounding area.

8. The height of the proposed building, at around 6.6 m, would project above surrounding field hedges. As such, the proposed building would be visible from footpaths within the vicinity of the site. Within the landscape context described above, I consider the relatively large building proposed, along with retention of hardstanding, which extends across the entire site, and the 2 earth bunds along its north-western and south-western boundaries, would significantly interrupt the views across the valley. Agricultural machinery and vehicles parked on the site would also contribute to disrupting the view. Consequently, I conclude that the existing development of hardstanding and bunds, and the proposed building, due to its size and scale, would substantially harm the character and appearance of the landscape and therefore the surrounding area.

9. I note the appellant's suggestion that the landscape and land use is agricultural, and as such one would expect to see agricultural buildings within such a context. I do not disagree with this general assertion. I also note that the design is typical of agricultural buildings in the wider area and that the external materials of the building could be controlled by condition, should the

appeal be allowed. However, it does not logically follow that agricultural buildings of any size could be sited anywhere within the landscape without harming the landscape's character and/or appearance. Furthermore, the 2 earth bunds are not typical features within the landscape and, combined with the siting of an extensive area of hardstanding in this location, these features significantly harm the appearance of the field and the wider landscape setting.

10. As such, the proposed building and existing hardstanding and bunding sought to be retained after use of the site as a compound for Network Rail has ceased, would not accord with policies 3 and 8 of the Northamptonshire Joint Core Strategy 2011-2031 (2016) (NJCS), or paragraph 127 of the National Planning Policy Framework (the Framework). These policies require, among other things, development to be located and designed in a way that is sensitive to its landscape setting; sympathetic to and conserves or enhances the character of the landscape; safeguards or enhances important views and responds to local topography and landscape setting.

Effect on setting of Grade I Listed Building

11. Under s66(1) of The Planning (Listed Building and Conservation Areas) Act 1990 I have a duty to give considerable importance and weight to the desirability of preserving the setting of a Listed Building. In addition, paragraph 193 of the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

12. The tower and spire of the Church of St. Katherine are clearly visible against the skyline above High Street when viewed from the east, including when viewed from the section of Station Road adjacent to the site. It is the focal point of the settlement, and the prominence of the tower and spire in surrounding landscape views is a key part of the building's significance. As noted above, the Church is Grade I Listed, which is the highest level of significance. It dates to the late 12th century and has many significant architectural features, including the tower and spire, which dominate the wider views of gently undulating farmed slopes across the valley. The Framework defines setting as the surroundings in which a heritage asset is experienced. I consider the open, surrounding landscape setting within which the site is located makes a significant contribution to the setting of the Church and that the setting makes an important contribution to the LB's significance.

13. Having re-sited the proposed building, in an effort to remove it from the view towards the Church tower and spire, the appellant submitted a visual assessment plan. The appellant asserts that the proposed building would only impact on the view of the Church for a stretch of 10 m from the railway bridge. However, I consider that a person's view from this point, and other points along the stretch of Station Road adjacent to the site, would, to varying degrees, provide a field of vision that would include an expanse of the open fields, much of the built form on the eastern side of High Street, including the Church tower and spire, as well as the proposed building. Additionally, the hardstanding, bunds and associated machinery and vehicles, would also form part of such views. Consequently, I conclude that the retained and proposed development would interrupt views of the Church's tower and spire, which would significantly and detrimentally alter the setting of the LB and its significance that I have identified.

14. Although I have concluded that retention of the existing, along with the proposed development, would significantly harm the setting of the LB, I consider the harm to be less than substantial with respect to paragraph 196 of the Framework. In such circumstance the Framework advises that the harm should be weighed against the public benefits that would result from the development.

15. I note the appellant asserts that the proposed building would be used by a local agricultural business which employs local people. However, I have not been provided with any detailed evidence of the business, the agricultural need for the proposed building or whether the proposal would support employment opportunities. Consequently, I have no evidence that the proposal would provide public benefits that would outweigh the harm to the setting of the LB I have identified.

16. Bearing the above factors in mind, I consider that the retention of the existing hardstanding and bunds and the proposed building would not accord with Policy 2 of the NJCS, Policy 2 of the Irchester, Knuston & Little Irchester Neighbourhood Plan (2017) or heritage policies in the Framework. These policies collectively seek to ensure developments protect, preserve and where appropriate enhance heritage assets, including their setting.

Other considerations

17. The appellant considers there to be a fallback position which should be considered as an important material consideration. It is asserted that after Network Rail leave the site the hardstanding and bunding could remain and the land would revert to agricultural use. In addition, it is suggested that the appellant could, at such time, exercise permitted development rights and erect an agricultural building.

18. I do not have full details before me regarding the licensing agreement between Network Rail and the land-owner, the grounds on which the development has been undertaken by Network Rail or what the requirements would be in respect of how the site would be left following Network Rail's departure. Nor do I have any details of the agricultural unit to which the land relates. Therefore, I have no evidence to clearly indicate that a building could be erected under permitted development rights, and if so, what the details of it would be. I therefore attribute limited weight to this matter. Consequently, I conclude that there are no other considerations that would outweigh the harm I have identified in respect of the character and appearance of the area and setting of the LB.

Conclusion

19. In light of the above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR