



Appeal Decision

Site visit made on 4 August 2020

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/Y2810/W/20/3250545

**Boughton Mill Farm, Welford Road, Chapel Brampton, Northampton,
Northamptonshire NN6 8AB**

- 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 Tony Mace against the decision of Daventry District Council.
 - The application Ref DA/2019/0755, dated 31 August 2019, was refused by notice dated 13 November 2019.
 - The development proposed is the conversion and extension of stable to two storey dwelling (revised scheme).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of the application by the Council it has adopted the Settlements and Countryside Local Plan (Part 2) for Daventry District 2011-2029 (2020) (SCLP). The SCLP has superseded all of the policies in the Daventry District Local Plan (1997). I have therefore determined the appeal with the newly adopted policies in mind.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area and on the living conditions of the occupiers of Mill Cottage with particular regard to privacy.

Reasons

Character and appearance

4. The appeal site is located to the north of Welford Road and to the west of Brampton Valley Way. The wider site comprises of a linear group of buildings which will be used as four separate dwellings and the appeal barn. To the south of the appeal barn is a modern building which is being used as a riding school.
5. In more detail, the linear row of buildings consists of a row of two and three storey residential properties, all of which are in the process of being altered/have been altered and extended in recent times. The buildings on the site drop in overall height from west to east with a barn attached to Mill Cottage being a single storey building. The appeal building itself is a single storey brick and stone barn with a tiled roof and is located to the south of the single storey barn. As a result of the stepping down on the building heights, the

appeal barn also has a degree of subserviency to the other buildings at the site.

6. That said, from the evidence before me, planning permission¹ has already been granted by the Council for the conversion, and extension, of this barn to form a residential property. The Council have indicated that the extension approved as part of the conversion was considered to be a modest single storey one.
7. Whilst the footprint of the permitted scheme and the current appeal proposal is broadly the same, the appeal scheme seeks to add a first floor over the entire footprint of the previously permitted proposal.
8. To my mind, the change in the proposal to include the addition of a first floor over the existing barn (and the permitted extension) would significantly change the character of the building and the wider site by introducing a taller element at the eastern end of the complex.
9. The resultant building would also lose the character of a simple barn and would appear as a large multi-gabled dwelling, the bulk of which would be significantly greater than the existing barn, and that already granted planning permission by the Council. Despite the size and massing of the existing development, I therefore find that the increase in size and height of the appeal barn would be unacceptably harmful to the overall character of this rural area.
10. The Appellant has set out the increased dwelling size is needed to provide much needed additional accommodation for its intended occupier. Whilst this weighs in favour of the development, I can only give this very limited weight.
11. I have also considered that the existing dwellings at the wider site have all be substantially extended. Whilst I saw that to be the case at my site visit, these dwellings have a materially different character to that of the appeal barn. I therefore consider that little weight can be attached to the size of these extensions. In addition to the above, I acknowledge that the external materials would match the existing building and that new fenestration would reflect the existing. However, none of these factors provide for a compelling reason why planning permission should be granted.
12. Turning to the effect of the proposal in the wider landscape, the Appellant has provided details of the long-distance views from public vantage points around the surrounding area. Whilst I agree that the proposal would only have a very small impact on such long distance views, and the Special Landscape Area as a whole given the extant permission at the site, it is also significant that there are clear views of the appeal site from Brampton Valley Way and the public footpath which runs across the site to the south of the barn.
13. The Council have referred to Policy R2 of the West Northamptonshire Joint Core Strategy Policy Local Plan (Part 1) (2014) (WNJCS) in their decision. However, given that this policy is largely considering the rural economy and the appeal proposal is for the re-use of a rural building as a residential dwelling I do not find any specific conflict with that policy.
14. For the above reasons, the proposal would harm the character and appearance of the host property and the wider area and would conflict with Policy SA of the WNJCS and Policies RA6 and ENV10 of the SCLP which amongst other matters

¹ Reference DA/2019/0005 dated 24 January 2019

seeks to promote sustainable development and ensure that development recognises the intrinsic character, beauty and tranquillity of the open countryside and that extensions respect the form and character of the host building in terms of its scale, massing and height and its surroundings. It would also be at odds with the overarching design aims of the National Planning Policy Framework (the Framework).

Living conditions

15. From the Appellants statement, the front wall of the appeal barn is at a 120-degree angle to the front wall of the other buildings at the site which are/will be in residential use when construction works on these buildings have been completed.
16. The Councils concern in this respect is essentially that the first floor windows on the north side elevation of the dwelling would overlook the garden area of the other buildings, for which I take that to be the property identified as Mill Cottage on the plans. From the submitted plans, there are three windows which face this direction which are in bedrooms identified as Nos. 13, 14 and 15.
17. The side facing window to bedroom 13 (and for that matter reception room 8) would be facing the front windows of Mill Cottage at an angle of significantly less than 90 degrees and would provide an unacceptable level of overlooking potential and consequential loss of privacy. However, any concerns in this respect could easily be addressed by the use of obscure glazing (which has been suggested by the Appellant) as these rooms also have other windows which would allow sufficient light and outlook for the future occupants of the dwelling.
18. From the evidence before me, Mill Cottage only has a garden area to the north of that property and the attached barn to the side (and area to the north) does not appear to be part of any permission for residential use². That being the case, I consider that views from bedrooms 14 and 15 would not overlook the amenity area to Mill Cottage to an unacceptable degree.
19. Even if I am wrong on this point, it would also be possible to have obscure glazing to the side window to bedroom 15 as this would also have a window facing eastwards.
20. This would only leave the window to bedroom 14 looking towards the garden area, which is the only window to that room. That said, the occupiers of Mill Cottage would still have a suitable area of garden to the north of their extension which would not be significantly overlooked. Taking this into account, and with the other two first floor windows being obscurely glazed, I consider that this would not be so harmful to warrant the withholding of planning permission on this ground.
21. For the above reasons the proposal would not have an unacceptable impact on the amenity of the occupiers of any of the adjoining residential properties and would accord with Policy ENV10 of the SCLP which amongst other matters seeks to protect the amenity of the occupiers of new and existing dwellings. In this respect it would also accord with the overarching aims of the Framework.

² The Appellants statement include a plan identifying 4 dwellings to the north of the appeal site and their respective permissions which does not include the barn immediately adjacent to the appeal barn.

Conclusion

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

Chris Forrett

INSPECTOR