



Appeal Decisions

Site Visit made on 3 March 2021

by A Blicq BSc (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2021

Appeal A, APP/Y2810/W/20/3260011

Pear Tree Cottage, The Green, Newnham, NN11 3HB

- 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 M Northover against the decision of Daventry District Council.
- The application Ref DA/2020/0140, dated 13 February 2020, was refused by notice dated 16 July 2020.
- The development proposed is Construction of garden room to rear elevation, part replacing existing extension (revised scheme).

Appeal B, APP/Y2810/Y/20/3260012

Pear Tree Cottage, The Green, Newnham, NN11 3HB

- 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 M Northover against the decision of Daventry District Council.
- The application Ref DA/2020/0141, dated 13 February 2020, was refused by notice dated 16 July 2020.
- The works proposed are Listed Building Consent for construction of garden room to rear elevation, part replacing existing extension (revised scheme).

Decisions

1. Appeal A and Appeal B are dismissed.

Preliminary Matters

2. There are revised drawings within the evidence and the Council has not listed the drawings upon which it determined the appeal. However, it appears that amendments were made during the application process and I have based my decision on the revised drawings.
3. There appear to be errors in these drawings. The plans and elevations are inconsistent with regard to the length of the proposed flank wall. In addition, on the south elevation the flank wall appears to be shown as stepped down or sloping, but is shown with a horizontal top on the east elevation. I have based my reasoning on the dimensions shown on the footprint as it seems most likely that this is what is intended and have presumed that the wall has a horizontal top.
4. The appeal concerns a Grade II listed building in the Newnham Conservation Area (NCA). The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) imposes particular responsibilities on the decision taker with regard to listed buildings, their settings and conservation areas. Consequently, I have included in my reasoning the effect of the works on the NCA.

Main Issues

5. The main issues are:

- Whether the works would preserve the Grade II listed Pear Tree Cottage having particular regard to the desirability of preserving the listed building, any features of special architectural or historic interest, and its setting; and,
- Whether the development would preserve or enhance the character or appearance of the Newnham Conservation Area (NCA).

Reasons

Listed building

6. Pear Tree Cottage (the Cottage) is a 17th century coursed ironstone cottage with flat elevations under what appears to be a slate tiled roof. Its front elevation presents with an off-centre entrance door, and small casement windows on the ground and first floors. A 20th century side extension with catslide roof is faced in similar stone at the front.
7. At the rear, the Cottage has sympathetically designed casements in modest window openings. There is a pleasing simplicity in the alignment and symmetry of the window openings. This elevation is supported by simple brick buttresses.
8. Overall, the Cottage has a very simple vernacular form and modest scale. Although the side extension's windows are disproportionately large, the extension itself is clearly subservient to the original building.
9. The significance of the Cottage arises from its simple typology and scale, its historic fabric and understated appearance which is entirely appropriate in this semi-rural village location.
10. The proposals would partially replace the 20th side extension with an L-shaped addition comprising a gabled extension with rear dormer, and beyond that a lantern-roofed garden room with full height glazed doors.
11. The garden room's height and bulk would appear over-scaled in comparison with the Cottage and the decorative cornice would appear overly fussy in this context. The eaves would be as high as the first floor window cills and the lantern roof would extend above that. Consequently, it would fail to relate to the storey heights in the original building, which would reinforce its contrasting scale.
12. Moreover, the garden room would be significantly longer and partly wider than the existing extension, and because of its L-shaped footprint it would project sideways beyond the flank wall of the original dwelling. As such, the garden room's rather formal and suburban styling would be directly juxtaposed against the vernacular simplicity and modest scale of the Cottage when viewed from the rear. I conclude that in height, scale, extent and design the garden room would be incongruous and would also appear disproportionately large in relation to the original building. It would therefore fail to reflect or relate to the original building and would detract from the Cottage's overall appearance and appreciation.

13. The gabled element of the extension would be subservient to the original flank wall of the Cottage and would reflect its typology. The dormer would be a little smaller than those on the original roof slope. This element of the development would be set back and would be appropriately scaled in relation to the original dwelling. However, although I have no concerns in relation to this element it does not alter my reasoning with regard to the garden room.
14. The appellant's evidence fails to set out any assessment of the Cottage's heritage significance as required by Paragraph 189 of the National Planning Policy Framework (the Framework). Consequently it is unclear how it can be concluded that the proposals would not be detrimental to the significance of the Cottage, or how it ensures uniformity with the property. I did not notice any structures similar to the proposed garden room in the vicinity at my visit and I disagree that it is keeping with the character of the area.
15. It is also unclear to me how the proposed L-shaped footprint accords with the linear form of the Cottage. Apart from a porch extension, the existing extension does not encroach across the Cottage's rear elevation. Whilst I appreciate that there would be a gap between the Cottage and the garden room, this layout appears contrived.
16. The Council does not appear to object to the principle of development in this location and I see no reason to disagree. However, I am not satisfied that there are not alternatives to this particular design.
17. The proposals would detract from the Cottage's significance and amount to less than substantial harm. The benefits arising from the development would be entirely private and consequently do not meet the test set out in Paragraph 196 of the Framework which states that where there is less than substantial harm this should be weighed against the proposal's public benefits.
18. I conclude that the development would fail to preserve the features of special architectural or historic interest, including setting, and would therefore be contrary to the requirements of Sections 16 and 66 of the Act, and Section 13 of the Framework. It would also be contrary to Policy ENV7 of the Local Plan (LP) which requires development relating to heritage assets to respond positively to their context amongst other considerations, and LP Policy BN5 which is concerned with the conservation and enhancement of heritage assets. In addition, the proposals would fail to accord with LP Policy ENV10. This requires development to promote local distinctiveness and to have regard to scale height and layout amongst other considerations, to ensure development blends in with its site and surroundings.

Conservation Area

19. Newnham is a broadly linear village within which period stone cottages and later brick buildings are loosely arranged along the main road and around a central village green. The Cottage is hard against the footway at one end of the green. It is separated from the adjacent public house by hardstanding and what appears to be a former outbuilding. This gap in the frontage allows views of the Cottage's flank elevation and extension from the green.
20. Although there is little information before me with regard to the NCA, I conclude that its significance arises from its period dwellings, their intact historic fabric and spatial relationship with each other, the road and the green.

This is reflective of the village's evolution and is central to its highly attractive appearance and semi-rural character.

21. The garden room would be largely screened from public view by a flank wall with only the top of the lantern visible above the wall coping. As noted above, the gabled element of the extension would appear subservient and in keeping with the original dwelling.
22. The flank wall of the existing extension is rendered and it appears that the proposals would also have a rendered finish. As the flank wall would appear as a garden structure, I see no reason why the alteration of views from the public domain would in itself diminish the significance of the NCA. Nonetheless I have found that there would be harm to the significance of a listed building within the NCA, and visibility from the public domain is not necessarily determinative in a consideration of harm to the conservation area.
23. As such the development would fail to preserve or enhance the character or appearance of the NCA. It would therefore be contrary to the provisions of the Act and Section 13 of the Framework. It would also be contrary to LP Policies ENV7 and BN5 which taken together are concerned with the conservation of heritage assets.

Other Matters

24. I appreciate that the current design has been altered from an earlier application but this does not alter my reasoning which is concerned with what is before me.
25. Notwithstanding the presumption of sustainable development set out in Paragraph 7 of the Framework, Paragraph 12 states that this does not change the statutory status of the development plan as the starting point for decision making.

Conclusions – Appeal A and Appeal B

26. In the light of the above I conclude that the development and works would fail to accord with the Act, relevant local policies and the Framework, and there are no material considerations sufficient to outweigh that conflict. Appeals A and B are dismissed.

A Blicq

INSPECTOR