



Appeal Decision

Site visit made on 1 February 2022

by L Fleming BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2022

Appeal Ref: APP/Y2810/W/21/3278852

Home Farm Francis Row, Upper Stowe, Northampton 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 C Newitt against the decision of Daventry District Council.
 - The application Ref DA/2021/0018, dated 6 January 2021, was refused by notice dated 22 April 2021.
 - The development proposed is construction of private car garage, formation of vehicular access, rebuilding boundary wall (part retrospective).
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Appeal Ref: APP/Y2810/Y/21/3278857

Home Farm Francis Row, Upper Stowe, Northampton 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 C Newitt against the decision of Daventry District Council.
 - The application Ref DA/2021/0019, dated 6 January 2021, was refused by notice dated 22 April 2021.
 - The works proposed are construction of private car garage, formation of vehicular access, rebuilding boundary wall (part retrospective).
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Decisions

Appeal A - Ref: APP/Y2810/W/21/3278852

1. The appeal is allowed and planning permission is granted for construction of private car garage, formation of vehicular access, rebuilding boundary wall (part retrospective) at Home Farm Francis Row, Upper Stowe, Northampton NN7 4SL in accordance with the terms of the application Ref DA/2021/0018, dated 6 January 2021, subject to the conditions set out in the schedule attached to this decision.

Appeal B - Ref: APP/P1940/Y/20/3263975

2. The appeal is allowed and listed building consent is granted for construction of private car garage, formation of vehicular access, rebuilding boundary wall (part retrospective) at Home Farm Francis Row, Upper Stowe, Northampton NN7 4SL in accordance with the terms of the application Ref DA/2021/0019, dated 6 January 2021, subject to the condition set out in the schedule attached to this decision.

Procedural Matters

3. Both appeals relate to the same scheme under different but complimentary legislation, I have therefore dealt with them together in my reasoning except where indicated otherwise. At the time of my site visit, a significant part of the development/works had already taken place, including the demolition of the majority of the boundary wall and the erection of the new walls for the proposed building. However, construction had ceased, and the proposed development/works were not completed. I have dealt with the appeal on this basis.

Main Issue

4. The main issue in both appeals is whether the proposed development/works would preserve the grade II listed Home Farmhouse or its setting and any features of special architectural or historic interest that it possesses and whether the scheme would harm the character or appearance of the area.

Significance

5. The appeal property is a grade II listed farmhouse (Home Farmhouse). It is adjacent to a farming complex with buildings mainly converted to a number of dwellings which are accessed from a narrow rural lane.
6. The Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special regard to be given to the desirability of preserving a listed building or its setting and any features of architectural or historic interest it possesses. Furthermore, paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. Home Farmhouse is early C18, two storeys with attic rooms, constructed of coursed limestone rubble with some ironstone. It has ironstone quoins, a pantile roof, brick end stacks, a brick dentil cornice and stone coped gables with kneelers. Although a large section has now been removed, it had a stone wall adjoining the rear elevation, which extended from a prominent gable end along the road frontage. Only a small section of this wall remains at the point where it meets the neighbouring property boundary. Insofar as is relevant to these appeals, I find the significance of Home Farmhouse derives from its historical use as farmhouse in a rural village and its traditional architectural detailing.

Effects on the grade II listed Home Farmhouse and the character and appearance of area

8. In considering a similar scheme an Inspector in 2019¹ found that the two garages and side gate proposed in that scheme 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 found to be at least as wide as the side gable of Home Farmhouse. That Inspector found that scheme would dominate the street scene, changing the emphasis from the vertical height of the side gable of Home Farmhouse to the horizontal extent of the scheme which coupled with the bank remodelling, it was found, the character

¹ Appeal References APP/Y2810/W/19/3228397 & APP/Y2810/Y/19/3228395

of the lane would be changed from a small rural accessway to that of a more suburban modern character.

9. However, the scheme before me is different, it is for a single garage door set in an expansive stone-faced wall. A different arched timber gate is proposed between the new building and Home Farmhouse and there would be only a single narrow driveway with much more of the existing grass bank retained. I find the proposed garage door would be a secondary feature in the new stoned-faced boundary wall which would appear noticeably separated from the farmhouse by the arched timber gate. Furthermore, in contrast with the previous scheme, the new single driveway would be narrow and set in much more of the retained bank. If sympathetically finished, flanked by the retained grass bank it would have no significant impact on the rural character of the lane.
10. Therefore providing, that the new boundary wall was finished in stone-work to match the listed building and the original wall, the overall vertical emphasis of Home farmhouse would be unaffected and the scheme would not harm the character and appearance of the area or the significance of the listed building.
11. Turning my attention to the demolition of the boundary wall. The previous Inspector found it to have been maintained in a less sympathetic manner than Home Farmhouse but clearly linked to the listed building and forming part of its significance. I find no reason to disagree and that the demolition already undertaken has clearly resulted in the loss of historic fabric. Consequently, this element of the scheme has resulted in a failure to preserve and has harmed the significance of the listed building.
12. Thus, whilst there would be no conflict associated with the construction of the new building and access drive, the demolition of the wall is in conflict with saved Policy GN2 of the Daventry District Local Plan (2007), Policy BN5 of the West Northamptonshire Joint Core Strategy (2014) Policies ENV10 and EN7 of the Settlements and Countryside Local Plan (Part 2) For Daventry District 2011-2029 (2020) which taken together seek to avoid adverse impact on a listed building, require designated heritage assets and their settings to be conserved and enhanced, seek to achieve good design and safeguard the character and appearance of an area.
13. However, the harm arising from the demolition of the wall is less than substantial. Whilst I must attach great weight to that harm, it must also be balanced against any public benefits of the scheme². In this case, the proposal would provide off-street parking on a narrow rural lane which is occupied by a number of dwellings. There are no pavements nearby and the lane width is such that vehicles cannot pass side by side. It is also not wide enough to comfortably accommodate on street parking without restricting vehicle movements.

Given the bespoke circumstances of this case and the fact that I have found no other harm arising from the scheme, I find the off-street parking in this location is of sufficient public benefit to outweigh the great weight I attach to the harm arising from the loss of historic fabric in this case. In which case the Framework is a material consideration which indicates planning permission should be granted.

² Paragraph 202 of the National Planning Policy Framework

Conditions

14. The conditions imposed for both appeals are those which have been suggested by the Council, adjusted in the interests of precision in accordance with the advice on imposing conditions in the Planning Practice Guidance. However, the standard timescale conditions or conditions specifying a time any permission or consent is effective from are not necessary on either decision as the development/works have already begun.
15. As suggested by the Council, I have imposed conditions on appeal decision A which specify the relevant drawings as this provides certainty and which require the materials to be agreed in order to preserve the heritage asset and character and appearance of the area. I have also imposed conditions on appeal decision A which require details of the new vehicular access, the bank works and details of how those works effect utility infrastructure to be agreed. Both conditions in the interest of highway safety and safeguarding the character and appearance of the area. I have also adjusted these conditions in the interests of the precision. However, it is not necessary to repeat these conditions on appeal decision B as both decisions can only be implemented together.
16. Finally, to ensure the new boundary wall preserves the heritage asset I have imposed a condition on appeal decision B which requires a sample panel to be agreed and implemented as agreed. Again, I have adjusted the suggested condition to make it more precise.
17. I have noted the appellant's comments that the Highway Authority and Conservation Officer are satisfied and therefore conditions 2, 3 and 4 on appeal decision A and the condition imposed on appeal B are unnecessary. However, based on the information before me I cannot be certain this is the case. These conditions are therefore necessary for the reasons given above.

Conclusion

18. For the reasons given and taking into account all other matters raised, I conclude that both appeals should be allowed.

L Fleming

INSPECTOR

Appeal A – SCHEDULE

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Plans & Elevations as Proposed N32-2B registered valid 9 February 2021.
- 2) Prior to commencement of any further works, full details of the vehicular crossover of public highway land must be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 3) Prior to commencement of any further works, details showing cross sections (existing and proposed) of the bank with the underground utilities depths detailed as supplied by each service provider and details of agreement with the relevant bodies to relocate any utility infrastructure, any street furniture and the road gully must be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) Prior to commencement of any further works, samples of the materials to be used in the construction of the external surfaces of the works hereby permitted shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Appeal B - SCHEDULE

- 1) The external face of the stone boundary wall shall be reinstated with course patterns, heights and joint widths to match the existing as closely as possible. The wall shall be pointed up using a lime mortar. A sample panel of the stonework and mortar pointing shall be completed for inspection and approval in writing by the local planning authority before any further works commence on the external facing of the boundary wall. All works shall then be carried out strictly in accordance with the agreed details.

END