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## Appeal Decision

Site visit made on 24 January 2023

**by David Troy BSc (Hons) MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 13 February 2023**

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**Appeal Ref: APP/T3725/D/22/3311557**

**1 Northgate Place, Northgate, Warwick, Warwickshire CV34 4SW**

- 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 Owen Jenkins against the decision of Warwick District Council.
  - The application Ref W/22/1464, dated 7 September 2022, was refused by notice dated 26 October 2022.
  - The development proposed is erection of metal pedestrian gates.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed metal pedestrian gates on the significance of the Warwick Conservation Area and the setting of the adjacent Grade II\* listed building at Northgate House.

### Reasons

3. The appeal property at No. 1 Northgate Place (No.1) is an attractive three storey stone Victorian Townhouse located on a prominent corner plot within centre of Warwick. No. 1 has an imposing entrance doorway and porch with stone Tuscan columns and black wrought iron metal railings running either side of the entrance along the front boundary of the site. The adjoining Victorian Townhouse at No. 2 has a matching entrance and metal railings which contribute to the historic and architectural significance of the buildings. The appeal proposal seeks to erect metal pedestrian gates across the front entrance of No. 1 in line with the metal railings along the front boundary.
4. It is situated within the Warwick Conservation Area (CA) and adjacent to the 17<sup>th</sup> Century Grade II\* listed building at Northgate House to the north of the appeal site. The entrance doorways at the two storey red brick listed building have black wrought iron metal railings running either side of the entrances along the front boundary. The significance of this building and features to the CA can be readily appreciated within the immediate vicinity of the site.
5. The use of metal pedestrian gates would be very much at odds with the symmetrical appearance of the entrance doorways at the front of Nos. 1 and 2. The metal gates would create an awkward design and unbalanced appearance on the front elevation of the appeal property, when set against the open

- entrance at No. 2, and would impede on the views of the existing entrance and porch with its distinctive Tuscan columns that contribute to the CA's setting.
6. These shortcomings are exacerbated by the proposal's prominent position, which would be visible from a number of public vantage points along Northgate. The contrasting height of the metal gates, in relation to the existing metal railings, contribute to the overall scale of the proposal, giving it particular prominence in relation to its surroundings. As such, I consider that the proposed gates would result in an incongruous and out-of-keeping addition that would adversely harm rather than positively contribute to the CA.
  7. I have considered the appellant's arguments that the design and layout of the proposed gates have been carefully considered in order to minimise any impacts on the appeal property and the area. I also note the appellant's comments regarding the photographic evidence of gates at the entrance when the property previously functioned as a magistrates court. However, whilst the use of matching materials would assist in integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
  8. Given the location of the appeal site adjacent to the Grade II\* listed building at Northgate House and within the CA, special attention must be paid to the desirability of preserving or enhancing the setting of the listed building and the character or appearance of the CA. Although they would be set back from the adjacent listed building, I consider that the proposed metal pedestrian gates, by virtue of their scale, siting and design, would have a negative material impact on the setting and, thereby, harm the significance of the adjacent listed building and the CA. The setting of the listed building and the CA would therefore not be preserved.
  9. Given the modest scale of the development, the harm would be less than substantial but in accordance with paragraph 202 of the National Planning Policy Framework (the Framework), that harm should be weighed against any public benefits of the proposal. I note the appellant's desire is to improve security at the front of the appeal property due to some anti-social behaviour in the area. I have considerable sympathy for the appellant's circumstances. However, I find insufficient public benefit arising from this proposal to offset the identified harm to which I attach significant weight.
  10. Consequently, I conclude that the proposed metal pedestrian gates would result in harm to the significance of the CA and the setting of the adjacent listed building. It would be contrary to the aims of Policy HE1 of the Warwick District Local Plan 2017 and the Framework. This policy and guidance, amongst other things, states that where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be set against any public benefits of the proposal. However, I find insufficient public benefit arising from this proposal to offset the identified harm.

## **Conclusion**

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*David Troy*

INSPECTOR