



Appeal Decisions

Site visit made on 20 February 2023

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2023

Appeal A: APP/M2840/W/22/3299389

Outbuilding to the rear of 19-27 High Street, Cranford

- 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 Cranford Management Ltd against the decision of North Northamptonshire Council.
 - The application Ref NK/2021/0767 dated 9 September 2021, was refused by notice dated 10 December 2021.
 - The development is described as the change of use of existing curtilage listed building to single storey one bedroomed dwelling.
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Appeal B: APP/M2840/Y/22/3299320

Outbuilding to the rear of 19-27 High Street, Cranford

- 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 Cranford Management Ltd against the decision of North Northamptonshire Council.
 - The application Ref NK/2021/0768, dated 9 September 2021, was refused by notice dated 10 December 2021.
 - The works are described as the change of use of existing curtilage listed building to single storey one bedroomed dwelling.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matter

3. As the appeal site is in a conservation area and concerns a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.

Main Issues

5. The main issues are:

Appeals A and B:

- the effect of the development and works on the special architectural and historic interest of the curtilage listed building and the setting of nearby listed buildings; and
- whether or not the development preserves or enhances the character or appearance of the Cranford Conservation Area;

Appeal A only:

- the effect of the development on highway safety; and
- the effect of the development on the living conditions of the occupiers of 19-27 High Street and 1 Battle Close with particular regard to privacy and noise and disturbance.

Reasons

Significance

6. The appeal building is sited to the rear of 19-27 High Street which form a row of 5 early nineteenth century cottages and are listed grade II. They are constructed from coursed limestone rubble with a hipped roof of twentieth century interlocking concrete tiles. The cottages display a unity of design and retain many original features. Their significance, for the purposes of this appeal relates to their age and retention of most original materials and design as examples of early domestic architecture.
7. There is no dispute between the parties that the outbuilding the subject of this appeal is curtilage listed and lies within the setting of the listed cottages. It is located close to the rear elevation of the cottages and is subdivided into five separate outbuildings, one for each cottage. The building is also constructed from coursed limestone rubble and internally separated by timber boarding partitions. Much of the roof covering is missing, although timber supports remain. Old photographs show it intact with slate roofing material. A large part of the rear elevation is also missing with only two of the outbuildings intact.
8. Nevertheless, the significance of the outbuildings, in so far as it relates to these appeals, is derived from their architectural and historic interest connected to their role and association with the cottages to which their location, form and historic fabric all contribute.
9. The Cranford Conservation Area (CCA) is centred on Cranford Hall and its associated park land. It incorporates some built form to the north and south where the appeal site is located. Here development is mixed but unified by building materials of local limestone, ashlar and ironstone detailing together with thatch and slate roofing materials. Spaces between the buildings allow for glimpses towards the park land. Given the above, I find that the significance of the CCA to be primarily related to the appearance of historic buildings with the use of traditional materials and the relationship of buildings to open space.
10. The cottages are highly visible within the CCA, contributing positively to it. However, the outbuilding to the rear has limited visibility although the relationship between the buildings can be glimpsed from the site access and the Public Right of Way (PROW) within the park land to the rear. It therefore makes a limited contribution to the significance of the CCA.

Effect on significance

11. The proposal would see the retention of all openings on the southern side of the building, albeit they would be blocked up internally. On the northern elevation a patio door and window would be installed where the existing wall is missing together with a new window where there is an existing door. The remainder of the wall and roof would be reinstated with materials to match the existing together with two rooflights. While the introduction of new openings would alter the appearance of the building, they would do so in a way that would cause little harm to its significance being contained in the fabric of the building and mainly on the northern elevation away from the cottages.
12. The alterations to the north elevation would not be visible from the High Street. Only the roof would be particularly visible from one small part of the PROW which runs across the park land to the rear. Consequently, the relationship between the cottages and outbuildings would continue to be read as existing and there would be no harm to the character and appearance of the CCA.
13. The internal partitions would be removed, resulting in an erosion of the ability to understand the original use of the building. Furthermore, there is scant information before me regarding the way that the existing openings would be blocked up, how internal insulation would be provided and the internal walls finished all of which have the potential to undermine the historic and architectural significance of the curtilage listed building and cause harm to its identified significance.
14. I understand that the outbuilding no longer has a functional link to the cottages and has not done for a number of years. The subservient relationship between the two buildings would be maintained. From the exterior the building would still have the appearance of the outbuildings and the visual relationship between the two would not be materially harmed. Nevertheless, although the building would retain the same physical and visual relationship to the cottages, it would harm their significance due to the complete severance of the existing outbuildings and the use of them as a separate dwelling and this would cause some harm to the significance of the cottages.
15. Paragraph 199 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 200 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification.
16. With reference to paragraphs 201 and 202 of the Framework, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. The Council consider that substantial harm is caused. The Planning Practice Guidance advises that substantial harm is a high test and may not arise in many cases¹. Given the nature and extent of the proposed development and works, as described above, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.

¹ Paragraph: 018 Reference ID: 18a-018-20190723

17. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes securing of optimum viable use of listed buildings.
18. I am mindful that the building has been in a poor state of repair for some time and the works would ensure that the building is restored which would be a benefit. However, whilst a public benefit of this proposal would be to bring it back into viable use in support of its long term conservation, there is no substantive or convincing evidence before me that the proposed scheme represents the optimum viable use for this building or that the appeal scheme is the only means by which the future of this heritage asset could be secured.
19. The provision of one additional dwelling would contribute to the Government's objective of significantly boosting the supply of homes and would generate some commercial activity during construction and from prospective occupiers spend in the local economy. However, given the scale of the development such benefits would be modest.
20. Therefore, I conclude that the public benefits of the proposal in this instance would not be sufficient to outweigh the harm I have identified. Given the above and in the absence of any significant public benefit, I conclude that, on balance, the proposal would fail to preserve the special architectural and historic interest of the curtilage listed building and the setting of the cottages. This would fail to satisfy the requirements of the Act, paragraph 199 of the Framework and conflict with policies 2 and 8 of the JCS. Together, these require that development is of good design which conserves and, where possible, enhances the heritage significance and setting of an asset or group of heritage assets in a manner commensurate to its significance.

Highway safety

21. Policy 8 of the JCS requires that development ensures a satisfactory means of access and provision for parking, servicing and manoeuvring in accordance with adopted standards. The parking standards set out in Northamptonshire County Council's Parking Standards Document 2016, require that the development provides two spaces. The submitted plan² shows one space provided adjacent to the access to the rear of the outbuilding. The Council consider it to be undersized. This is disputed by the appellant.
22. The appellant proposes that the other required space would be within the shared parking area to the west. However, this space already serves as a parking area for 19-27 High Street and I am mindful that interested parties have stated that the parking is fully utilised. Irrespective of the exact size of the proposed parking space, there is no plan before me to how two parking spaces could be satisfactorily incorporated into the existing shared area which, from the evidence before me and my observations on site, is already well parked. Therefore, I cannot be sure the level of parking required by the standards could be appropriately provided on the appeal site. Consequently, there would be conflict with Policy JCS8 in this regard.
23. In the absence of an appropriate level of parking within the site residents would need to park on High Street. Well-designed car parking at home is conveniently sited so that it is well used. The High Street is some distance from

² KA33118-BRY-XX-PL-A-002_B

the proposed house and, in my view, residents would be likely to try and park close to the house. This would involve manoeuvring in an already well parked area where, without evidence to the contrary in the form of a safe layout plan, in view of the existing parking arrangements and proximity of residential properties there may be conflict between car and pedestrian movements to the detriment of highway safety.

24. The Council is concerned that the proposal has not demonstrated vehicular or pedestrian visibility splays for the site and therefore fails to show that the proposal would not be detrimental to highway safety. However, the house would be approached via an existing access from the High Street which already serves eight dwellings. The plan³ before me shows that the existing narrow access would be widened to 4.5 metres for the first 10 metres which is the required standard for a shared drive for 5 dwellings. As there would be satisfactory room for two vehicles to pass I do not consider therefore that the proposal would be harmful in this respect.
25. I saw at my site visit that due to the presence of 17 High Street, visibility is restricted to the west on exiting the site and a vehicle would need to traverse the wide footway in this location before being able to see if it was safe to exit the site. At that point visibility in both directions is good. However, in my view as an existing access local residents would be well aware of its limitations and drive accordingly, including taking account of pedestrians. I have no reason to believe that future occupiers of the proposed development would not do the same. Furthermore, while I do not doubt the footways are used, there are few services and facilities in the village to which pedestrians would be walking. In the absence of trip rates to suggest otherwise, a single dwelling would only generate a minimal amount of traffic which would be imperceptible against existing flows in and out of the access. Therefore, I do not consider that the addition of one dwelling using the existing access would be materially harmful to highway safety in this regard.
26. For the reasons above, I conclude that while the development would be acceptable in some regards, it fails to adequately demonstrate an acceptable level of parking, servicing and manoeuvring in accordance with adopted standards contrary to Policy 8 of the JCS.

Living conditions

27. The proposed house would be about 3.3 metres from the rear elevation of Nos 19-27 High Street at its closest point. The cottages have doors and windows which face the building and the intervening distance forms a small yard with little delineation between each cottage.
28. The openings in the southern elevation of the proposed house would be blocked up from within so there would be no loss of privacy for the residents of the cottages either real or perceived.
29. No 1 Battle Close is sited to the north east of the proposed house at a lower level. It has two windows and the only door to the property on the elevation facing the appeal site. A window would replace an existing door and a new window and patio doors would be installed in the north elevation of the property, which would have the potential to facilitate overlooking to the private

³ KA33118-BRY-XX-PL-A-002_B

space and windows of No 1 resulting in a loss of privacy for the residents due to the current open boundary between the two properties. However, if a suitable boundary fence was in place, secured by the imposition of a condition, this would prevent any overlooking or perception of overlooking occurring from the proposed house.

30. The Council raise concerns regarding noise and disturbance. However, the house would be accessed away from the row of cottages and No 1. Due to its size, it is unlikely to be occupied by a large family. In any case, although close there are a number of houses in close proximity in this location and this would create a similar relationship. I therefore find no harm in this respect.
31. For the reasons above, I conclude that the proposal would not be harmful to the living conditions of the occupiers of 19-27 High Street and 1 Battle Close with particular regard to privacy and noise and disturbance. Therefore, there would be no conflict with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031 adopted 2016 (the JCS). This requires, amongst other things, that development protects amenity by not resulting in an unacceptable impact on the amenities of neighbouring properties by reason of noise or overlooking.

Conclusion

32. I have found that the proposal would be harmful to the significance of listed buildings and highway safety and would be in conflict with the development plan as a whole. The material considerations I have outlined above are not sufficient to outweigh that conflict and therefore the appeal should be dismissed.

Zoe Raygen

INSPECTOR