



Appeal Decision

Site visit made on 7 March 2023

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 17 April 2023

Appeal Ref: APP/W2845/W/22/3307942

Sazerac Restaurant, Charmark House, 20 Castilian Street, Northampton, West Northamptonshire NN1 1JX

- 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 Sunny Kooner of AZ Investments against the decision of West Northamptonshire Council.
 - The application Ref WNN/2022/0618, dated 25 May 2022, was refused by notice dated 16 August 2022.
 - The development proposed is described as 'construction of additional storey to create 2no flats'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have had regard to the statutory duties set out in Section 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 in reaching my decision.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Derngate Conservation Area.

Reasons

4. The Derngate Conservation Area predominantly consists of buildings from the 19th Century with several good examples of 20th Century Architecture. The area derives its significance from the variety of architectural styles, diversity of use and vibrant character. Despite the variety there is a visual unity in the immediate locality that results from consistency in scale and mass as well as the use of simplified classical detailing and a limited range of building materials.
5. The appeal property is centrally located on a prominent corner within the conservation area. Immediately opposite the site are the Grade II listed buildings, Nos 33-45 St Giles Street which have retained their original shop frontages. The northern elevation of the appeal property forms part of a group with Nos 40-54 St Giles Street, Nos 40-42 form a taller central section with the appeal property and Nos 44-54 forming two lower, balanced wings of equal height and width. The southern and western elevations address Castilian Street, which primarily consists of 19th Century terraces currently in office use. The appeal property retains many architectural features including stone

- detailing and sash windows, and positively contributes to the conservation area.
6. Although the roof extension would be set back from the existing north and west elevations and would only be minimally visible from ground level on St Giles Street, it would be prominent when viewed from the upper storeys of the surrounding properties. While the extension has been designed as a natural continuation of the adjacent roofline and to be read as an addition, the proposal would protrude above the adjacent roof and would awkwardly abut the adjoining property. Further, the extension would unbalance the group as described above and would appear incongruous.
 7. The proposed dark panelling would contrast heavily with the existing red brick and when viewed from Castilian Street would appear unduly dominant, detracting from the existing visual unity of the conservation area. Consequently, the proposal would fail to preserve the appearance of the conservation area and would cause less than substantial harm to its significance.
 8. My attention has been drawn to details of other developments in the Derngate Conservation Area. However, I note that elements of their design including the size, positioning and materials used are different. While the Derngate Lofts Development is visible from the junction of St Giles Street and Derngate, its immediate context and style of the host building varies significantly from the appeal property. The Hazelwood Road development is an entirely new building and so is different to this proposal to alter a historic one. Regardless, the existence of other roof extensions within the conservation area does not justify the harm identified above.
 9. The proposal would provide two additional dwellings in an accessible location. Whilst the Framework seeks to boost the supply of housing, the social and economic benefits of two further dwellings would be limited and would not outweigh the harm identified to the significance of the conservation area.
 10. Given the above, I conclude that the proposal would not preserve or enhance the character or appearance of the Derngate Conservation Area. Consequently, the proposal conflicts with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy Local Plan Part 1 (December 2014), Policies 1 and 2 of the emerging Northampton Local Plan Part 2 2011-2029 (December 2020) and Policy 1 of the Northampton Central Area Action Plan (January 2021) where they collectively seek to ensure that development conserves and enhances conservation areas through appropriate use of materials, scale, and architectural style. The proposal would also conflict with the Framework which requires developments to be sympathetic to local character and history.

Other Matters

11. The appeal site forms part of the setting of the adjacent Grade II listed properties, Nos 33-45 St Giles Street. The 19th Century terrace derives significance from its historical link to the former St Thomas' Hospital as well as its original shop frontages with repetitive architectural character and detailing. Despite the proximity of the proposal, the outlook from the Grade II listed properties and the roofscape of the appeal site do not contribute to its significance. Therefore, the proposal would preserve the setting of the listed buildings.

Conclusion

12. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR