



## Appeal Decision

Site visit made on 15 August 2023

**by M Russell BA (Hons) DipTP MRTPI**

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

**Decision date: 1 September 2023**

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**Appeal Ref: APP/W2845/D/23/3324270**

**Havenwood House, Baker Street, Gayton, Northamptonshire NN7 3EZ**

- 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 Clare against the decision of West Northamptonshire Council.
  - The application Ref WNS/2022/2109/FUL, dated 1 November 2022, was refused by notice dated 16 May 2023.
  - The development proposed is construction of two carports.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. On my site visit, I saw that the development proposed is already in situ. I have therefore considered the appeal on the basis that planning permission is being sought retrospectively.

### Main Issue

3. The main issue is the effect of the development on the character and appearance of the area including but not limited to the setting of the Gayton Conservation Area.

### Reasons

4. The appeal site is situated just outside the Gayton Conservation Area (CA). A section of the highway which sits within the CA extends close to the gated entrance of the site. Baker Street is characterised by mainly detached dwellings. There is variation in the design and layout of buildings on the street. However, the area's built form is mainly high quality and there is an overriding traditional character. These elements give an attractiveness and sense of order to the street scene which positively contributes to views towards and out of the CA, helping to preserve the significance of this heritage asset.
5. The host dwelling has a stone wall to its front boundary which links into similar walling within the CA. The dwelling and its associated garage have tiled pitched roofs and brickwork facades. These elements of the appeal site sit comfortably within the street scene at the periphery of the CA's boundary.
6. Due to the layout of the property and other associated structures towards the front boundary of the site, the proposed development is not visible on the approach to the site from the north.

7. However, the development is most appreciable from the section of street which aligns with the site frontage and which sits next to the boundary of the CA. From here, the projection of the development forward of the front elevation of the host dwelling is seen amongst other structures within the property's frontage, notably the timber lean-to structure next to the front boundary wall and the tiled canopy over the front gates. In combination with these structures, the development results in an unduly cluttered frontage to the host dwelling. Together with the predominantly white contemporary materials incorporated within the front elevation, the development is a striking and unsympathetic composition which detracts from the appearance of the host dwelling and the prevailing qualities of the local vernacular.
8. The appellant suggests that they would accept a condition requiring the roller shutter doors to be removed. However, this would not overcome the cluttered appearance of the structure within the site frontage. Furthermore, the white clad front gables and pale canvas sides, the latter of which would be visible through the openings created following the removal of the doors, also do not reflect the general high quality of the surrounding built environment.
9. My attention has been drawn to car ports at Nos 11 and 11A Baker Street. However, from what I saw on my site visit, these buildings sit within more spacious frontages. Together with their side-on orientation and the material palettes employed, those buildings have a more subdued appearance in the street scene and are not comparable to the appeal proposal.
10. With regards to the setting of the CA, I acknowledge that the development is only highly discernible within the vicinity of the site entrance. Consequently, intervisibility with the CA is largely limited to this particular section of the street. As a result, the proposal would result in less than substantial harm to the CA's setting. The National Planning Policy Framework (the Framework) states that such harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There are no public benefits in this instance which would outweigh the less than substantial harm identified. This adds to the general harm to the character and appearance of the host dwelling and its immediate surroundings already identified.
11. I conclude, the development has a harmful effect on the character and appearance of the area including but not limited to the setting of the CA. In that regard, the development conflicts with the character, design and conservation requirements of Policy SS2 (General Development and Design Principles) of the South Northamptonshire Part 2 Local Plan (2020) (P2LP) and Policy BN5 (The Historic Environment and Landscape) of the West Northamptonshire Joint Core Strategy (Part 1) (2014).
12. The Council's decision notice also refers to Policy HE5 of the P2LP. However, the intervening distance and features between the development and the nearest listed building at 'Home Farmhouse' 16 Baker Street ensure that the setting of this listed building is not harmed. In any case, this does not override the other harm identified.

### **Other Matter**

13. The appellant contends that as the Council has not pursued enforcement action for the removal of the development, this suggests that it would not be

expedient to do so. However, I do not agree that the absence of enforcement action outweighs the clear harm identified. Whether or not enforcement action is taken subsequent to this appeal decision is a matter for the Council and not a matter for me to determine in this appeal.

### **Conclusion**

14. The development has a harmful effect on the character and appearance of the area, including but not limited to the setting of the Gayton CA, and conflicts with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. The appeal is therefore dismissed.

*M Russell*

INSPECTOR