



Appeal Decision

Site visit made on 14 November 2023

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 March 2024

Appeal Ref: APP/W2845/W/22/3313033

Land at The Croft, Croft Lane, Staverton, Northamptonshire NN11 6JE

- 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 Trustees of the Aunt Joy Family Trust against the decision of West Northamptonshire Council.
- The application is Ref: WND/2021/0676.
- The development proposed is for the erection of a single detached dwelling and garage.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged, a revised National Planning Policy Framework ('the Framework') has been published. Although I have made my determination against that updated national policy context, the relevant changes relate to formatting and do not raise any new matters which are determinative to the outcome of this appeal.
3. The appeal site is located on the edge of the built up framework of Staverton, within the 'Staverton Conservation Area'. It previously formed part of the grounds to the front of 'The Croft', a Grade II listed dwelling but now falls within a separate land ownership. However, from the evidence before me and my site visit, I find that it forms part of the setting of The Croft by virtue of its historical connection and juxtaposition with that property. In making my determination regarding the effects on that setting and the Conservation Area I have exercised my statutory duties under sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

4. The main issues are whether or not the appeal proposal would preserve the setting or features of special architectural or historic interest of the Grade II listed 'The Croft'; and preserve or enhance the character or appearance of the 'Staverton Conservation Area'.

Reasons

Setting of Listed Building

5. The proposal would result in the erection of a detached two storey dwelling with associated garaging, parking, driveway and gardens within an undeveloped parcel of enclosed land next to 'The Croft', a Grade II listed building.

6. The grounds of The Croft have previously been subdivided to facilitate the construction of neighbouring 'Moss Cottage' and 'Tilia House' and also the creation of the plot subject to this appeal. The appeal site is separated from the remaining grounds by a section of high walling containing a single doorway and wooden door, more recent low fencing and hedgerow planting. With the exception of a vehicular gateway, the limits of the appeal site along Croft Lane are defined by a further section of high walling. The submitted evidence indicates these stone enclosures once formed part of a U-shaped traditional building group serving The Croft.
7. The Croft was listed in 1968. The submitted evidence indicates that its special interests include its historical and architectural significance, being a L-plan, coursed squared ironstone, 2 storey house and attic with stone mullioned windows which dates back to 1700. Combined with its positioning within a generous plot, these features reflect and reinforce its role as an early 18th century rural dwelling within the wider historic rural village context.
8. The outbuildings are not specifically referred to within the list description and have previously been regarded by the Council to be of 'limited architectural interest'. Despite the fragmentation in ownership, as structures within the historic curtilage with a principal and accessory relationship to the main building, they continue to reveal a historic functional connection between the appeal site and The Croft. The appeal site continues to provide an understanding of the past functioning of this historic rural village residency. Therefore, in terms of setting, the appeal site contributes to the historical significance of The Croft.
9. The appeal proposal would consolidate the built up form between The Croft, its remaining grounds, Moss Cottage and Tilia House. The Council has not raised concerns about the design and materials of the proposed scheme. Nonetheless, by its very nature the proposal would significantly change part of that important existing setting of The Croft.
10. The appellant has argued that there would be only one view point from where the proposed dwelling would be visible within the setting of The Croft. The level of screening which exists and the potential for supplementary landscaping is acknowledged. However, despite it having been annexed from The Croft with its own separate accesses, the pedestrian gateway connecting the two remains as a reminder of the appeal site's historic association with that listed property irrespective of current ownerships. Even if that gateway was retained, the creation of an additional residential plot would severely erode the remnants of the space around this 17th century dwelling from which its historic role within the settlement and status is deduced. This would further diminish the link between the parts of the historic grounds of The Croft.
11. Overall, the existing undeveloped, verdant character and appearance of the appeal site as part of the immediate setting of The Croft continues to enable the special historic interest and architectural features of that listed building to be experienced and understood. The changes to the original setting that have preceded the appeal proposal do not diminish the importance of what remains of it. Regardless of the size of the current outdoor areas of The Croft, the appeal proposal would limit the majority of the undeveloped areas historically associated with that property to its rear. This would further erode the

appreciation of the spacious character and appearance of historic setting of The Croft within a generous plot.

12. For all of these reasons, the appeal proposal would not preserve the setting of The Croft when experienced from within that listed property, its remaining grounds and the surrounding public vantage points. Crucially, it would erode the appreciation and understanding of how, historically, The Croft was laid out within a spacious plot and functioned. Consequently, the appeal proposal would harm the historical significance of The Croft.
13. My attention has been drawn to Decisions APP/M2840/W/21/3287516 and APP/C2741/W/22/3298538. These Decisions relate to different sites. However, I recognise that the level of intervisibility between those proposals and nearby listed buildings arising from topography, landscape screening and positioning were factors which informed the outcome of those Inspectors' assessments. Although I have taken account of these components in making my own assessment of the proposal before me, I have found that its effect on the setting of this particular designated heritage asset extends beyond intervisibility.
14. In concluding on this main issue, I find that the proposal would not preserve the setting or features of special architectural or historic interest of Grade II listed 'The Croft'. Therefore the proposal would fail to satisfy the requirements of section 66(1) of the Act in this regard. This carries considerable importance and weight.
15. In terms of the Framework, I find this identified harm would be less than substantial. However, contrary to the appellant's view, this would fall mid-way in the spectrum of harm. In line with paragraph 205 of the Framework when considering the impact of development on the significance of a designated heritage asset, I give great weight to the conservation of The Croft. Furthermore, paragraph 206 of the Framework recognises that the significance of heritage assets can be harmed or lost through the alteration or destruction of the asset or development within its setting and that any such harm should have a clear and convincing justification. I make my assessment on this and the proposals conformity with the adopted development plan for the area later.

Conservation Area

16. The 'Staverton Conservation Area' encompasses the built up framework of the village, with the exception of some pockets of more recent residential development. It also extends to some surrounding undeveloped land which includes former common and land with evidence of past land practices relating to assarting and ridge and furrow earthworks. These areas provide a transitional setting between those buildings and the wider countryside beyond and afford views into and out of the village. The submitted evidence indicates that Staverton may have its origins as early as the 8th century AD and is mentioned in the Domesday Book. The Conservation Area has been the subject to some more recently developed individual residential plots. However, its mature, close-knit, intimate rural character and appearance continues to be derived from the high concentration and variety of vernacular architecture.
17. In particular, properties dating back to the 16th century are constructed in a limited palette of local natural materials and have a historic plot layout and grain. These include mature limestone and ironstone buildings with thatched or

natural slated roofs. These tend to be positioned hard up to the network of lanes and roads and interspersed by some detached properties that, like The Croft, are set back within more generous grounds. This historic built form, including its 17th century nucleated and irregular street pattern, is experienced alongside a series of intervening private and public spaces and associated mature tree cover.

18. As such, I find that the significance of the Staverton Conservation Area, insofar as it relates to this appeal, is primarily associated with the village's prevailing historic architecture and plot layout. These reveal and enable its incremental development and role in supporting the local agricultural community to be experienced and understood.
19. The proposal would be visible from localised public vantage points within the Conservation Area, including from Croft Lane and the lane and Public Footpath 6 ('FP6') which lead to nearby 'Staverton Hall'. The latter is identified as being important in the 'Staverton Conservation Area Appraisal and Management Plan' ('the CAA'). My attention has been drawn to the fact that the CAA does not identify the site as a key area of open space or feature within an important view.
20. An existing mature Yew tree and other specimens would be retained, including those falling within the group of Lime trees subject to 'The Staverton Tree Preservation Order /DA/31' that are situated along the boundary with the lane leading to Staverton Hall and FP6. Nonetheless, the introduction of a new dwelling here would erode the sense of space and positive contribution that this well-contained undeveloped land between buildings clearly makes to the character and appearance of the Conservation Area. The absence of a specific reference to the importance of this integral part of the Conservation Area does not override my statutory duty to pay special attention to preserving or enhancing the character or appearance of this designated heritage asset.
21. The proposal would change the spatial context which defines how the glimpses through to existing historic buildings are experienced, including Grade II Listed 'The Croft', 'The Manor House' and 'the Cottage attached to the right side of the Manor House'. These all contribute positively to the historical and architectural significance of the Conservation Area. I accept that the proposed built presence would be felt for a short duration by passers-by. Nonetheless, it would permanently erode the ability to experience the existing character and appearance of the Conservation Area for the lifetime of the scheme.
22. For these reasons, the appeal proposal would not preserve or enhance the character or appearance of the Conservation Area. It would be harmful to both its historical character and appearance. Therefore, the proposal would fail to satisfy the requirements of section 72 of the Act in this regard. This carries considerable importance and weight.
23. Given its nature and extent, I find this harm to be less than substantial. In line with the Framework, this attracts great weight. I address whether that harm would be justified in the context of the approach of the Framework to designated heritage assets and also the conformity of the proposal with the adopted development plan below.

Heritage Balance

24. Paragraph 208 of the Framework requires that less than substantial harm to a designated heritage asset is weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
25. The Council's evidence confirms a need for a '3 bed normal market house' in the area. The submitted evidence also confirms that the need for further affordable housing in the area is undisputed between the main parties. The Council's evidence confirms that the proposed affordable unit should be secured through a section 106 planning obligation. The appellant has indicated that a suitably worded condition would suffice. Neither have been submitted to this appeal.
26. However, I am satisfied that a genuine housing need for a 3-bedroomed property could be satisfied and that irrespective of which mechanism were to be relied upon, the proposal would also contribute towards meeting local affordable housing needs. Although this is a scheme for only one affordable dwelling, its contribution to the housing land supply in both quantitative and affordable terms are both important public benefits. These benefits each carry significant weight.
27. The submitted evidence does not indicate that there would be any public benefits associated with securing the optimum viable use of The Croft. In weighing each of the identified heritage harms against the public benefits of securing a single affordable dwelling and its contribution to the housing land supply, neither harm would be outweighed. This outcome is due to the considerable importance and weight I attribute to the identified harm to the character and appearance of the Conservation Area and also the harm to the Grade II listed building, 'The Croft' that would arise from the loss of significance to that building by virtue of the further erosion of its spacious setting. The identified heritage harms are therefore unjustified.

Planning Balance

28. Overall, the proposal would not preserve the setting of Grade II listed 'The Croft', nor preserve or enhance the character or appearance of the 'Staverton Conservation Area'. Neither would either of the identified harms be outweighed by the public benefits advanced so as to be justified. Therefore, the proposal would fail to satisfy both the approach of both the Act and the Framework to designated heritage assets and their setting.
29. Policy BN5 of the 'West Northamptonshire Joint Core Strategy' states, amongst other things that designated heritage assets and their settings will be conserved and enhanced in recognition of their individual and cumulative significance. Proposals are required to sustain and enhance the heritage and landscape features which contribute to the character of an area. Policy ENV10 of that plan requires that development reflects and integrates with the surrounding area.
30. Furthermore, Policy ENV7 of the 'Settlements and Countryside for Daventry District Local Plan (Part 2)' seeks, amongst other things, to place great weight on the conservation of heritage assets, irrespective of the level of harm, and requires any harm to be clearly and convincingly justified. It supports proposals that respond positively to their context by reinforcing local distinctiveness

including street pattern, siting and massing and that make a positive contribution to, or better reveal the significance of designated heritage assets.

31. The identified unjustified heritage harms conflict with all of these local policies. In view of the considerable importance and great weight that I have attributed to these harms and the resulting policy conflicts, the proposal would not be in accordance with the development plan when read as a whole.

Conclusion

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

C Dillon

INSPECTOR