



Appeal Decisions

Site visit made on 30 April 2024

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 June 2024

Appeal A Ref: APP/W2845/W/23/3326447

The Rectory Farmhouse, High Street, Scaldwell, Northampton, Northamptonshire NN6 9JS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Kane against the decision of West Northamptonshire Council.
 - The application Ref is WND/2022/0844.
 - The development proposed is described as 'demolition of existing barn and construction of new double garage. Alterations to stone boundary wall, including reduction in height and widening of vehicular access.'
-

Appeal B Ref: APP/W2845/Y/23/3326448

The Rectory Farmhouse, High Street, Scaldwell, Northampton, Northamptonshire NN6 9JS

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Peter Kane against the decision of West Northamptonshire Council.
 - The application Ref is WND/2022/0845.
 - The works proposed are described as 'demolition of existing barn and construction of new double garage. Alterations to stone boundary wall, including reduction in height and widening of vehicular access.'
-

Decisions

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

Preliminary Matters

3. As the proposal is in a conservation area and relates to listed buildings, 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.
5. Since the application was determined, a revised National Planning Policy Framework (Framework) was published in December 2023. However, as any policies that are material to these decisions have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework and new paragraph numbers in reaching my decisions.

6. As stated in the Council's Officer Report (Para 4.1 Application Ref: WND/2022/0845) and confirmed by my observations on site, the appeal structure (hereafter referred to as the barn) is 'attached' to the Grade II listed 'Wall attached to South of Rectory Farmhouse¹' (wall) and located within the curtilage of the Grade II listed Rectory Farmhouse². Having regard to section 1(5)(a) of the Act, the barn forms part of the listed wall and is therefore subject to same listed building controls.

Main Issues

7. The main issues with both appeals are whether the proposal would i) preserve the listed buildings, or their settings or any features of special architectural or historic interest which they possess, and ii) preserve or enhance the character or appearance of the Scaldwell Conservation Area.

Reasons

Special interest and significance

8. Rectory Farmhouse is a Grade II listed property dating from the mid-18th century which is mainly constructed from a warm coloured sandstone with a plain roof tile. From the submitted evidence, Rectory Farmhouse's special interest and significance stem in part from its illustration of 18th/19th century domestic rural architecture and the legibility of its phasing; along with its vernacular form using traditional construction techniques and materials.
9. Pertinent to the appeals, the building's setting also contributes to its special interest and significance. Its immediate setting, comprising its enclosed garden including the appeal site, has physical, visual, functional, and historic links with the asset. This garden space, which is softly landscaped, allows the Farmhouse to be experienced and appreciated and thus positively contributes to its special interest and significance. The building's wider setting formed by the historic built backdrop of the village and other properties with which it has a historical association also add positively in these respects.
10. The gardens of Rectory Farmhouse are enclosed by a stone wall along its boundary with High Street to which the barn is attached. The wall is listed in its own right at Grade II and the evidence indicates that it dates from the mid-18th century. The wall is constructed of square coursed stone with ashlar coping and has a raised section over a central opening with a wooden gate. The wall swings out towards High Street at its southern end and then steps up in height to form the end wall of the barn. The wall forms a robust perimeter feature, consistent with other traditional boundary treatments in the area.
11. The attached barn which forms part of the listed wall is stated to date from the late 18th century or early 19th century and is constructed of red brick and stone with a hipped natural slate roof on a timber framework. There is a dilapidated timber lean-to structure with corrugated roof on the side of the barn facing towards Rectory Farmhouse.
12. From the submitted evidence and relevant to the appeals, the special interest and significance of the wall (including the attached barn) are largely derived from its form and construction, to which the wall's height and alignment, as

¹ List Entry Number: 1343550

² List Entry Number: 1203245

well as the wall and barn's surviving historic fabric all contribute. Its group value in association with Rectory Farmhouse, along with its generally open and verdant garden setting to one side and its prominent open High Street setting to the other which reinforce its links with the area's history, also make positive contributions in these regards.

13. Scaldwell was designated as a Conservation Area (CA) in 1976. The character of the CA is influenced by numerous 17th and 18th century buildings and the consistent use of vernacular building materials such as coursed ironstone for dwellings, outbuildings and boundary walls. Its spatial character is well defined, comprising tight, small-scale streets radiating from the central village green. The mostly gravel (consolidated or loose) public pavements and private drives harmonise with the ironstone of the buildings.
14. High Street, on which the appeal site lies, has a strong linear sense of enclosure created by a back of pavement hard frontage of two and three storey buildings and tall stone walls. It is also a main route running through the village to the village green and is characterised by stone houses mainly of 18th and 19th century origin, some of which are listed.
15. Given the above, the character and appearance and thus special interest and significance of the CA, insofar as it relates to these appeals, are primarily associated with the strong linear pattern of development, back of pavement positioning, and the way the buildings of varying ages and styles reflect the evolution of the village.
16. By virtue of their historic and architectural integrity and authenticity, Rectory Farmhouse and the wall add considerably to Scaldwell's heritage merit. In doing so they positively contribute to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

Proposal and effects

17. The demolition of the three outer walls of the barn would result in the irrevocable loss of historic fabric. This would negatively alter the historic integrity of the wall and the authenticity of how it is experienced. This was acknowledged by the previous Inspector³.
18. The proposal also includes the removal of a portion of the wall to widen the vehicular access into the site and a reduction in the height of the wall that forms part of the existing barn. This would result in the loss of historic fabric and the hard frontage created by the wall would be reduced as a result of the proposal.
19. The proposed garage would have solid, flat side elevations with window and garage door openings and a hipped roof design. However, the proposal would also incorporate a wide square plan design that would extend the footprint and roof area beyond the existing barn and lean-to structure. This enlargement would create a prominent feature on site, contrasting with the traditional character of the original barn and nearby outbuildings, and making it highly visible from the road.
20. The proposed garage would also be situated away from the road and set back from the stone wall, departing from the established character of neighbouring

³ Appeal ref: APP/W2845/W/22/3308836 and APP/W2845/Y/22/3308837 (paragraph 9)

buildings that typically align with the back of pavement. Although there are other outbuildings within the grounds of Rectory Farmhouse, these are set further into the garden plot. Thus, the positioning of the proposed garage would not conform to either category.

21. The introduction of a new double garage set back from the wall would reduce the largely open and verdant qualities of the garden to Rectory Farmhouse, altering how the asset is experienced and diminishing the contribution that its setting makes to its special interest and significance.
22. Whilst the materials used for the proposed garage would be reflective of the materials currently present on the existing barn and could be reasonably secured through the imposition of planning conditions, this would not outweigh the harm identified above.
23. A hardstanding area would also be installed behind the site's entrance to serve the new garage. This proposed driveway, with turning space, would replace a considerable grassed area, introducing hard, urban elements conflicting with the garden's soft aesthetic. Additionally, the use of tarmac, uncommon in the area for existing driveways, would make the proposed driveway visible from public views along the road. Consequently, the proposed driveway and turning area would erode the soft landscaped character of the listed building's immediate settings and further alter how the assets are experienced.
24. The proposal's scale and massing, along with the driveway and turning space, would create a conspicuous development, visually competing with the listed buildings. Although the wall would partially screen it, views from the road and neighbouring properties would still be possible, making the proposal detrimental to the heritage assets. It logically follows that the harmful effects of the proposed development and works set out above would also weaken the identified positive qualities of the CA as a whole.
25. Given the above, the proposal would not i) preserve the listed buildings, or their settings or any features of special architectural or historic interest which they possess, and ii) preserve or enhance the character or appearance of the Scaldwell Conservation Area. In doing so it would harm the significance of these designated heritage assets.

Public Benefits and Balance

26. With reference to paragraphs 207 and 208 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and fairly localised nature of the proposal, I find that the harm to the significance of the designated heritage assets assessed above would, individually and cumulatively, be 'less than substantial' but nevertheless of considerable importance and weight. Paragraph 208 of the Framework requires this harm to be weighed against the public benefits of the proposal including, where appropriate, securing the asset's optimum viable use.
27. I note the very poor condition of the barn and the conclusions of the submitted Structural Engineers Report, dated 23 December 2020, which state that the barn is beyond repair and presents more of a risk to the wall than does its removal. On this basis, the barn's removal, which the report states could be achieved without compromising the stability of the wall, would generate the

heritage benefit of reducing or removing risks to a heritage asset⁴ and weighs in favour of the appeals.

28. The appellant is of the opinion that the widening of the access would improve highway safety by increasing visibility from the access and reducing the likelihood of collision with pedestrians, parked cars, and other passing vehicles. However, as the widening would be around a metre, and the wall would still be tall, the improvement is likely to be limited. Moreover, as the proposal would provide a double garage, there would only be a small number of daily vehicular movements into and out of the appeal site.
29. I accept that a 5-bedroomed house is likely to require at least two cars and a double garage would be more convenient to store two cars than a single garage. Nevertheless, this would be a private benefit to the occupants of Rectory Farmhouse rather than a benefit to the public at large.
30. I also acknowledge that the presence of on-street parked cars can detract from the appearance of historic buildings. However, the proposed garage would be much larger than the existing barn and would also include a sizeable hardstanding area that would be used for visitor parking adjacent to the historic buildings. Furthermore, there is insufficient evidence before me to confirm whether there is a significant on-street parking problem in the locality. I also note that the Highway Authority has not submitted any highway safety concerns. As such, I find this benefit would be small.
31. I acknowledge that the current condition of the barn detracts from the significance of both the Grade II listed boundary wall and the Rectory Farmhouse. The demolition of the dilapidated barn and lean-to structure would also improve the overall safety and useability of the site, but this would be a private benefit to the occupier of the site. Furthermore, it has not been demonstrated that the only way of securing the benefits identified would be via the appeals proposal.
32. The appellant indicates that the proposal would be necessary to ensure the continued residential use of Rectory Farmhouse. In the absence of more detailed information in that regard, there are no reasons which lead me to believe that the continued residential use of Rectory Farmhouse is dependent on the proposed development and works.
33. On balance, in giving considerable importance and weight to the harm to the significance of the designated heritage assets, I find that this would not be outweighed by the limited public benefits arising from the proposal.
34. I conclude that the proposal would not i) preserve the listed buildings, or their settings or any features of special architectural or historic interest which they possess, and ii) preserve or enhance the character or appearance of the Scaldwell Conservation Area. It would therefore fail to satisfy the requirements of sections 16(2), 66(1) and 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment. It would also conflict with Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (adopted 2014), and Policies ENV7 and ENV10 of the Settlements and Countryside Local Plan (Part 2) for Daventry District 2011-2029 (adopted 2020). Collectively, these policies, among other things, seek to

⁴ PPG Paragraph: 020 Reference ID: 18a-020-20190723

ensure that heritage assets and their settings are conserved and enhanced, and development is of a high quality promoting or reinforcing local distinctiveness and enhancing its surroundings.

Other Matters

35. I note there is some support for the proposal. However, these are neutral matters and do not weigh in favour of the scheme.
36. My attention has been drawn to a modern outbuilding that is set back from the historic stone wall, as shown in figure 8 of the Heritage Impact Statement (dated September 2022). However, I have not been presented with the full details of this other case, including details such as the officer's report and consultation responses. Therefore, the full details of the circumstances which led to this development being accepted are not before me. In any event, I have determined this appeal on its own merits based on the evidence before me and my observations on site.

Conclusion

37. For the reasons given above, and having regard to all other matters raised, I conclude that both appeals are dismissed.

H Smith

INSPECTOR