
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: 5th July 2024

Appeal A Ref: APP/W2845/W/23/3327722

The Hollies, 4 Kings Lane, Flore, West Northamptonshire, NN7 4LQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Jason Sutton against West Northamptonshire Council.
 - The application Ref is WND/2022/1061.
 - The development proposed is 'demolish and rebuild a Victorian washhouse with the addition of a new extension and glazed link between the house and washhouse. An insertion of a new staircase to the loft space and loft conversion is also planned.'
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Appeal B Ref: APP/W2845/Y/23/3334041

The Hollies, 4 Kings Lane, Flore, West Northamptonshire, NN7 4LQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by Mr Jason Sutton against West Northamptonshire Council.
 - The application Ref is WND/2022/1062.
 - The works proposed are 'demolish and rebuild a Victorian washhouse with the addition of a new extension and glazed link between the house and washhouse. An insertion of a new staircase to the loft space and loft conversion is also planned.'
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Decisions

1. Appeal A is dismissed and planning permission is refused.
2. Appeal B is dismissed and listed building consent is refused.

Preliminary Matters

3. As the proposal is in a conservation area and relates to 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 appeals follow the Council's failure to determine the applications (WND/2022/1061 and WND/2022/1062) within the prescribed period. However, the Council has indicated in its statement, that had it been in a position to determine the applications, it would have refused planning permission and listed building consent. The substance of the Council's statement and the statutory duties referenced above have informed the main issues of the appeals.
 5. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
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6. 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.
7. During the appeals, the Victorian Society (VS) submitted a late representation. The VS is a National Amenity Society which, as part of the 'Arrangements for Handling Heritage Applications – Notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2021', is required to be notified for works for the alteration of a listed building which comprise or include the demolition of any part of that building. On this basis, the late representation was exceptionally accepted and, in the interests of fairness, the appellant was given the opportunity to respond. I have had regard to the VS representation and the appellant's subsequent comments in my determination of the appeals, and I am satisfied that no parties' interests are prejudiced by this approach.

Main Issues

8. The main issues with both appeals are whether the proposal would i) preserve the Grade II listed building known as 'The Hollies', or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the Flore Conservation Area.

Reasons

Special interest and significance

9. The appeal property is a 17th century Grade II listed house known as 'The Hollies'¹, set within extensive grounds. It retains much of its historic detailing, which is primarily constructed of ironstone with red brick accents and a slated gable pitch roof. The Hollies has a gabled porch to its main front to garden, and prominent chimney stacks. It boasts an irregular fenestration with a variety of timber windows, including rectangular leaded, sash, and modern casements. The building has an L-shaped central wing of two-storeys with attic, and a two-storey stone and red brick section attached to its road fronting elevation. Internally, the historic layout of this domestic building appears to remain largely intact, thus making a valuable contribution to its significance as a designated heritage asset.
10. Pertinent to part of the proposed development and works, the appeals site also comprises a single-storey washhouse dating from the 19th century. The washhouse features a stone base but is mainly built with red brick and has a slated roof. Internally, it retains its original water pump and fireplace, alongside a modern toilet housed in a cubicle. The courtyard facing elevation has two small timber casement windows.
11. The red brick washhouse and the ironstone house display clear material and stylistic contrasts, emphasising the principal building's status and the subservient role of the washhouse. With attention to its design and features, it is evident that the washhouse was built as a functional and ancillary structure to the principal building. Its simpler form and detailing establish its subordinate

¹ List Entry Number: 1038318

relationship to the host property, while still making a positive contribution to the significance of the grade II listed building.

12. I find that the special interest and significance of this heritage asset largely derives from its historic and architectural interests. These are drawn from its illustration of a 17th century domestic property and the legibility of its phased evolution, including the addition of the washhouse in the 19th century; as well as its modest vernacular style and design, surviving historic fabric and discernability of its historic internal plan form.
13. The Flore Conservation Area (CA) was designated in 2018. Its built form spreads south from High Street along finger-like lanes towards the river. King Lane, on which the site lies, is located within the CA. The narrow junction of Kings Lane with High Street is tightly flanked by the elevations of historic dwellings and outbuildings, comprising a variety of boundary walls of mixed materials including brick, local stone and cob. Kings Lane unfolds to reveal Flore Manor, The Hollies, and The Croft, which are constructed mainly from coursed squared ironstone.
14. 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 the strong building lines which are formed in a linear pattern along its main roads and finger lanes which create coherence and shape the experience of the village. It is also the way the buildings of varying ages and styles reflect the evolution of the village.
15. By virtue of their historic and architectural integrity and authenticity, The Hollies, including the washhouse, add considerably to Flore'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

16. The proposal would result in a single storey extension which would incorporate materials (if feasible) and features from the washhouse. Although its roof pitch style would be similar to the principal dwelling, its actual pitch would be much shallower. Furthermore, the height and footprint of the proposed extension would be taller and larger than the original washhouse building. As the proposal would wrap around the washhouse, its distinctive form would be obscured. This would adversely disrupt the ancillary and subservient relationship the washhouse structure has with the main house.
17. Furthermore, the scale of the proposal's end elevation would extend across the full width of the principal building's rear end gable. It would appear as a prominent addition to the historic fabric, particularly by reason of the size of the structure.
18. The provision of extensive oak-framed glazing units to the elevations of the extension would be an incongruous and harmful addition to the building. Whilst there are a variety of window designs on the principal building, the proposed ones would be a detrimental contrast to them. Even though they might reveal elements of the washhouse structure, the reflective nature of the glazing would unacceptably harm the special interest of the listed building.
19. Additionally, the proposed lean-to structure would conceal significant features of the principal building's external elevation, including a blocked window and a

historic back door opening. The scale of the lean-to and the large glazing features would result in it appearing at odds with the proportions and overall design of the existing building. Rather than adding interest, it would appear as an incongruous and noticeable extension. The appellant's alternative suggestion of a full glazed door would likely have a harmful impact for the reasons given above.

20. Consequently, the proposal would contrast jarringly with the traditional design features of the existing building. It would significantly erode the architectural integrity of the principal building and detract from the features and form of the washhouse. It would therefore unacceptably harm the historic building.
21. The harmful effects to the listed building would incrementally harm the character and appearance of the CA as a whole. Notwithstanding that the proposal would not be prominent within the street scene, it would not preserve the character and appearance of the CA and would cause harm to its significance as a designated heritage asset.
22. I acknowledge that some materials used for the proposal would reuse the salvaged materials from the washhouse if in good order, including slate roof tiles and bricks. It would also reconstruct original features such as the brick wash box and fireplace. Although this could be reasonably secured through the imposition of planning conditions, this would not outweigh the harm identified above.
23. A number of internal changes are also proposed to the principal building, but very little information has been submitted on this. At first floor level, a wall and a section of the ceiling would be removed to create a new staircase from the first floor up to the attic space. A first-floor door would also be repositioned. The proposal would convert the attic space into habitable accommodation. From the limited information before me, these works would not only result in the loss of considerable historic fabric, but also compromise the plan form and layout of the building which, as noted above, form an important part of its significance.
24. At attic level, two rooflights would be installed to the principal building. However, the submitted plans do not show the insertions of these proposed rooflights. Without a full and detailed understanding of the nature of the necessary work, it is not possible to make an informed assessment as to the likely impact on the historic fabric of the building and any special historical architectural features that it possesses.
25. I also have concerns regarding the lack of detail on the layout of the proposed bathroom and the routing of new heating, plumbing and electrics within the attic space, particularly as limited information is before me to justify what would in effect lead to a further loss of historic fabric. In the absence of substantive evidence to the contrary, I find that these internal works would erode the special interest of the listed building and have a harmful effect on its understanding and appreciation. It would not be appropriate to leave such matters to conditions.
26. Given the above, the proposal would not i) preserve the listed building or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the Flore Conservation

Area. In doing so it would harm the significance of these designated heritage assets.

Public Benefits and Balance

27. 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.
28. The appellant has submitted a Structural Survey report, dated 12 August 2022, that is based on a visual inspection of the washhouse. The report concludes that the washhouse is structurally unsound, and it would be uneconomic to retain and repair the existing structure. The appellant also states that the washhouse is putting the principal house in potential jeopardy if the walls of the washhouse fall down, but this is not evident in the structural report before me. From my observations on site, I agree that the washhouse building is in a relatively poor state of repair. On this basis, the removal of the existing washhouse structure would generate the heritage benefit of reducing or removing risks to a heritage asset and weighs in favour of the appeals. There would also be some economic benefits from the construction phase. However, it has not been demonstrated that the only way of securing the benefits identified would be via the appeals proposal.
29. The appellant seeks to create additional living space, including a kitchen/dining room for modern family living, and improve the living conditions for existing and future occupiers of the property. Nevertheless, these would be private benefits to the occupants of The Hollies rather than a benefit to the public at large. In the absence of more detailed information, there are no reasons which lead me to believe that the continued occupation of the principal dwelling is dependent on the proposed development and works. Given the above, the harm would not be outweighed by the limited public benefits which have been identified.
30. 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.
31. I conclude that the proposal would not i) preserve the listed building, or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the Flore 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 seek to ensure, among other things, 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.

32. The proposal would also fail to accord with Policy F6 of the Flore Neighbourhood Development Plan 2014 – 2029 (made 2016). Amongst other things, this policy seeks to ensure residential extensions are of a scale, height and form that fit with the existing building and the character of the street scene, and that materials are compatible with the materials of the existing building.

Other Matters

33. The appellant states that there are listed buildings that have large glazed extensions and oak timber is an old sympathetic material. I acknowledge that the concept of glazing and use of oak timber for heritage assets is accepted. However, for this particular case before me, it would not be appropriate for the reasons given above. I therefore attribute little weight to this matter.
34. Flore Parish Council raised no objections and no representations were received from neighbours. Nevertheless, these are neutral considerations and do not weigh in favour of the proposal.
35. The appellant indicates that several qualified structural engineers have undertaken structural surveys of the property. Although this might be true, only one structural survey report² was submitted with the appeals. In any event, I have determined these appeals on their own merits based on the evidence before me and my observations on site.
36. I note the appellant's concern regarding the Council's procedure with dealing with the planning application and listed building consent. Nevertheless, that is not a matter for my consideration in the context of these appeal decisions.

Conclusion

37. For the reasons detailed above, and having regard to all other matters raised, I conclude that both appeals are dismissed and planning permission and listed building consent is refused.

H Smith

INSPECTOR

² Structural Report upon Single Storey Wash House, MJR Structural Design Ltd, dated 12 August 2022.