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# Appeal Decision

Site Visit made on 11 October 2021

**by Andrew Smith BA (Hons) MA MRTPI**

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

**Decision date: 28<sup>th</sup> October 2021**

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**Appeal Ref: APP/U2805/W/21/3277940**

**Land off Main Street, Main Street, Middleton, Market Harborough LE16 8YU**

- 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 Medwell against the decision of Corby Borough Council.
  - The application Ref 20/00484/DPA, dated 2 November 2020, was refused by notice dated 17 February 2021.
  - The development proposed is single dwelling with vehicular access from Main Street, Middleton.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. North Northamptonshire Council (the Council) was created in April 2021, and thus after the determination of the planning application that is now the subject of this appeal. It is a unitary authority that absorbed the planning functions of various local authorities, including Corby Borough Council (CBC). I shall determine the appeal accordingly.
3. It has come to my attention that the Part 2 Local Plan for Corby (the P2LP) was adopted by the Council in September 2021. Thus, its policies now attract full weight in decision-making. The main parties have had the opportunity to make observations as regards any relevance of this to the outcome of the appeal.

## Main Issues

4. The main issues are:
  - Whether or not the proposal would preserve or enhance the character or appearance of the Cottingham and Middleton Conservation Area (the CA), including the effect upon the setting of Longridge, a Grade II listed building; and
  - The effect upon highway safety.

## Reasons

*The character and appearance of the CA, and the setting of Longridge*

5. The significance of the CA as a designated heritage asset is drawn in-part from its wide range of historic buildings (of often agricultural origin) and its variety of green features and open spaces. This significance is further defined by the often-wooded makeup of the rural valley landscape that makes up much of the

CA's wider surroundings. Indeed, these various aspects are relevant to the historic evolution and rural history of the villages of Cottingham and Middleton.

6. Contained within the CA and located in proximity to the site is Longridge, a Grade II listed building. It is my statutory duty to have special regard to the desirability of preserving this building, its setting and any features of special architectural or historic interest. Its significance is drawn, in-part, from its historic origins and its traditional form and materials.
7. The site is located within the Settlement Boundary and towards the CA's western edge. It is prominently sited adjacent to Main Street and comprises part of a wider raised area of undeveloped land (the wider site) that is bound to its outer perimeter by a low-level stone wall. The wider site is predominantly grassed and contains various other planting. It is my understanding that, whilst the site is now in separate private ownership, it has an historical connection to Middleton House Farm (located to the opposite side of Main Street) and formerly served this property in a variety of different guises.
8. Even though the wider site was experienceable as somewhat overgrown at the point in time of my inspection, as indicated in the Cottingham and Middleton Conservation Area Appraisal and Management Plan Supplementary Planning Document (April 2016) (the SPD), it takes an appearance akin to that of a village green and adds much to the quality and character of the CA. Indeed, the wider site offers an important sense of spaciousness adjacent to what constitutes the main route through Middleton and its undeveloped state offers a distinct sense of ruralness and promotes the prominence and visibility of surrounding historic built form.
9. The site/wider site has not been designated as Local Green Space through the P2LP. This is despite Policy 11 of the North Northamptonshire Joint Core Strategy (2016) (the NNJCS) indicating that Part 2 Local Plans may designate sensitive areas where infill development will be resisted or subject to special control. Also, the site is not specifically referenced in the Open Space Study prepared for CBC in November 2017. Even so, it must be recognised that there is a statutory duty that requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
10. I acknowledge that various steps/measures have been taken through the design process in recognition of the sensitivities associated with bringing forward development at this prominent location within the CA. For example, respectful of the Significant View Lines illustrated within the SPD, the western portion of the wider site would remain clear of built development and the new dwelling would occupy a setback location relative to Main Street beyond and alongside retained planting. Furthermore, a dwelling of moderate scale and bulk is proposed that would incorporate a range of traditional features as well as external-facing materials sensitive to its location.
11. Nevertheless, whilst I acknowledge the varied positions and architectural styles of the closest buildings to the site, it remains consequential that a considerable portion of the wider site would be lost to development. Although change is not necessarily synonymous with harm, the scheme, especially when experienced at close quarters, would have an urbanising influence and cause an undue erosion of the rural spaciousness currently provided to the CA by the wider site. This is particularly so when noting the relatively expansive driveway and

associated opportunities for parking that would be offered in proximity to the site's Main Road frontage.

12. Without prejudice to my findings in a wider conservation sense, I am satisfied that the proposal would not harmfully impinge upon the manner in which the Grade II listed Longridge is able to be experienced and enjoyed. Moreover, available views of this designated asset would not be influenced to an extent that would advance material harm being caused to its heritage significance via bringing forward development within its setting.
13. However, for the above reasons, the proposal would fail to preserve or enhance the character or appearance of the CA and would thus lead to less than substantial harm being caused to its significance as a designated heritage asset. As set out in the National Planning Policy Framework (July 2021) (the Framework), any less than substantial harm to a designated heritage asset should be weighed against the public benefits of the proposal.
14. In terms of the scheme's benefits, one additional residential unit is proposed, which would be within the designated Settlement Boundary for Cottingham and Middleton (where small-scale infill development is typically supported by Policy 11 of the NNJCS, subject to the satisfaction of set criteria). The Framework reaffirms the Government's objectives of significantly boosting the supply of homes and making an effective use of land. Nevertheless, even though it is my understanding that the latest local Housing Need survey for Middleton identifies a specific need for three-bedroomed properties, one additional windfall unit would not make a noticeable difference to the housing supply situation at either an authority-wide or local level and would be a benefit that attracts limited weight.
15. The proposal would create jobs and economic trade during the construction phase and provide support to the local economy and local community facilities once occupied. However, these benefits also attract limited weight due to merely a single unit of accommodation being under consideration.
16. I have noted reference by the appellant to a possible intention to enter into a legal agreement to transfer the western portion of the wider site into the Parish Council's ownership. However, no such drafted or finalised agreement is before me. Thus, any possible associated public benefits, in a visual amenity sense for example, do not attract weight in the planning balance. I also note that any net-gain in biodiversity ultimately achievable through the delivery of the scheme would realistically be minimal and attractive of limited weight.
17. I am conscious that the Framework indicates that, when considering the impact of a proposal upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any identified harm to heritage significance is at a substantial or less than substantial level.
18. The harm that I have identified to the significance of the CA, although less than substantial, would not be outweighed by the modest public benefits (when considered in a cumulative sense) that would be brought about by the scheme. The proposal conflicts with the relevant heritage provisions of the Framework and Policies 2, 8 and 11 of the NNJCS in so far as these policies indicate that small scale infill development should not materially harm the character of a settlement and that proposals should conserve and, where possible, enhance

the heritage significance and setting of an asset or group of heritage assets in a manner commensurate to its significance.

### *Highway safety*

19. The scheme involves a punctuation of the low-level stone wall that runs Main Street to create a new access and associated private driveway. The access would be situated towards the eastern end of the site and thus in a position set away from where Main Street bends to merge into The Hill and connects to Ashley Road. Whilst I have noted references by interested parties to instances of vehicles travelling at pace, I observed typical traffic speeds in proximity to the site to be low. This is consistent with the bending nature of the route that runs the site's edge and with the 30mph speed limit that applies.
20. The Council's Development Management Engineer, in their role as Highway Authority (HA), has confirmed no objection to the proposal subject to the imposition of planning conditions related to various points that include the attainment of visibility splays, the laying of hard-bound surfacing, the provision of parking facilities and the achievement of a minimum width. This lack of an objection is a matter of importance as the HA is responsible for the safety of users of the local highway network.
21. I have inspected the site's topography and immediate surroundings and have fully considered the latest submitted plans of particular relevance to this main issue<sup>1</sup>. Consequently, I have no reason to disagree with the HA's position. Indeed, owing to the specific intended positioning of the access, I am satisfied that suitable levels of vehicular and pedestrian visibility could be achieved. This is even when acknowledging the existing and continued potential for vehicles to park on Main Street and the works proposed to the site's perimeter stone wall. Further, the intended parking would exceed the HA's requested level of provision and be served by a seemingly fit-for-purpose on-site turning area.
22. For the above reasons, the proposal would have an acceptable effect upon highway safety and would not cause harm in this context. The scheme accords with the Framework in so far as it sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

### **Other Matters**

23. I have noted objections/concerns raised by interested parties with respect to matters including the effect upon existing trees and issues pertaining to flood risk/surface water management. However, as I have found the proposal to be unacceptable for other reasons, it is not necessary for me to explore these matters further here.
24. An appeal decision<sup>2</sup> relating to a site in Central Bedfordshire has been placed before me. The main issue in that appeal related to whether or not the proposal would be inappropriate development in the Green Belt. Thus, any conclusions drawn in an openness sense are not directly transferable to my considerations in this appeal. It is a decision of little relevance.

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<sup>1</sup> Proposed Block Plan, Revision B; Indicative Access Section, Revision A

<sup>2</sup> APP/P0240/W/20/3262804

25. A further appeal decision<sup>3</sup> relating to limited infill development at nearby Weldon has been submitted. However, inconsistent with my findings with respect to this appeal, the Inspector at Weldon found that the proposed development would not materially harm the character of the village. Thus, due to this difference in circumstances, it is a decision of limited relevance.
26. For the avoidance of doubt, I find Policy 16 of the P2LP to be of limited relevance to by considerations. This is because the site does not currently appear as, or actively function as, residential garden.

### **Planning Balance**

27. I have found that the proposal would cause less than substantial harm to the heritage significance of the CA. The scheme's benefits, which include the delivery of an additional housing unit, would be outweighed by this identified harm and the associated policy conflicts. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

### **Conclusion**

28. For the above reasons, the appeal is dismissed.

*Andrew Smith*

INSPECTOR

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<sup>3</sup> APP/U2805/W/19/3237471