



Appeal Decision

Site visit made on 6 February 2024

by R Norman BA(Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 April 2024

Appeal Ref: APP/M2840/D/23/3329772

Weldon House, Corby Road, Little Oakley, Northamptonshire NN18 8HA

- 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 John Prentice against the decision of North Northamptonshire Council.
 - The application Ref NK/2023/0277, dated 5 May 2023, was refused by notice dated 4 July 2023.
 - The development proposed is the construction of a detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of a detached garage at Weldon House, Corby Road, Little Oakley, Northamptonshire NN18 8HA in accordance with the terms of the application, Ref NK/2023/0277, dated 5 May 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No 201916 02D.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Any human remains revealed when carrying out the development hereby permitted shall be retained in-situ and reported to the local planning authority (Lead Planning Archaeologist) in writing within 5 working days of their being revealed. Works shall be immediately halted in the area/part of the building affected until provision shall have been made for their removal by a suitable professional, followed by reburial, in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.

Preliminary Matters

2. The appeal property is not a Listed Building, however it is located within the setting of the Grade II* listed building, known as Church of St. Peter and it falls within the Little Oakley Conservation Area. Given the site's location, I have had special regard to Section 66(1) and paid special attention to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is the effect of the proposed development on the setting of the Grade II* listed building, Church of St. Peter, and whether it would preserve or enhance the character or appearance of the Little Oakley Conservation Area.

Reasons

The Appeal Site and Proposal

4. The appeal site comprises a residential plot with a detached dwelling and associated curtilage. The appeal site is located adjacent to the Grade II* listed Church. To the other side is The Old Rectory, which is a detached residential property. Weldon House is a detached two-storey dwelling and the appeal site was originally part of The Old Rectory curtilage. The existing dwelling is constructed of limestone and ashlar quoins and is an attractive property.
5. The proposal would introduce a single detached garage into the appeal site. It would sit adjacent to the boundary wall separating the appeal site and the Listed Church. The materials would comprise limestone, ashlar quoins and slate roof tiles to match the existing property, and it would have a pitched roof. It would sit forward of the host property but would be set back from the front boundary of the appeal site and the public realm.

Special Interest and Significance

6. The Church of St. Peter is a Grade II* listed building which dates from the 13th century. It occupies a prominent position on an elevated site, creating a landmark building within the village. It is constructed of limestone and ashlar, with lead and Collyweston slate roofing. The Church has a square tower situated to the western side and incorporates arched windows and door openings. There is an associated churchyard around the building, and it is bounded by a low-level stone wall with hedging and bushes. In 2018 an application was approved to convert the Church to a residential property¹ and therefore it is no longer in public use. From the submitted evidence, the Church's special interest and significance are mainly derived from its historic and architectural interests. Important contributors in these regards are its surviving historic fabric, modest but pleasing architectural style, traditional construction and materials and meaning to the local community as part of the cherished local scene.
7. Pertinent to the appeal, the Church's significance is also derived, in part, from its setting. Its immediate setting, comprising its enclosed graveyard, has direct physical, visual, functional and historic links with the asset. This tranquil space allows the Church to be experienced and contributes considerably to its significance. Beyond this space, the organic pattern of development of properties and their curtilages within Little Oakley, including the appeal site, allows the Church's status and relationship with other buildings in the village, such as The Old Rectory, to be appreciated. In these respects, the Church's wider setting also contributes in a positive way to its significance, albeit to a lesser extent.
8. The appeal site is located within the Little Oakley Conservation Area. The Conservation Area encompasses the majority of the village and is characterised

¹ KET/2018/0944

by traditional cottages, farmsteads with some larger historic properties and the landmark Church. Many of the properties within the conservation area are constructed of stone with a mix of thatched, tiled or slate roofs. Collectively they provide a cohesive and traditional character. Development is largely focused along the main road in a linear form throughout the village with areas of fields and countryside beyond.

The Effects of the Proposal

9. Whilst the proposed garage would be partly visible from the Church yard and within the context of the Church itself, it would be a small scale, domestic building which would be commensurate with the uses in the immediate vicinity. The proposed design and materials would be respectful of the host dwelling and the surroundings. The ridge height would be modest and there would be just one garage door opening, meaning that the design would be suitably simple so as not to compete with the surrounding heritage assets and the host dwelling.
10. The proposal includes the planting of a new yew hedge between the garage and the boundary wall which will, over time, further reduce the visual impact of the proposal and provide additional screening over and above the existing boundary wall. Furthermore, as the Church and its yard are no longer in public use, this further reduces the visual impact of the proposed garage as there would be fewer people accessing the churchyard than previously.
11. In addition to the Church itself, there is a visible historic relationship between it and the Old Rectory. The appeal site sits between these two buildings, nevertheless, the small scale of the proposed garage would not introduce a significant visual barrier and would not detract from this relationship. In the above respects, I am of the opinion that the proposed development would not compromise the setting of the listed building, would not detrimentally alter how it would be experienced, particularly key views of the Church, its relationship with The Old Rectory, and would not adversely affect the ability to appreciate its significance. Consequently, the setting of the listed building would be preserved and the significance of the asset, including that part derived from its setting, would not be harmed.
12. In relation to the impacts of the proposal on the conservation area, the proposed garage would be set back from the front boundary of the appeal site which serves to reduce its visual impact. From the south the garage would be largely obscured by the existing Church and the hedgerow on the footpath boundary, and when approaching the appeal site from the main part of the village there would only be glimpses of the building in the short range. Longer range views would be significantly restricted. From the public highway any views of the proposal would be seen against the backdrop of the existing property. A small garage seen in the context of the existing residential property would not be incongruous nor discordant within the street scene.
13. In addition, there are other examples of domestic outbuildings within the Conservation Area, including at The Rickyard, some of which are close to the public realm. I accept that each application is determined on its merits, however The Rickyard garage is positioned forward of the host property and the proposed garage would sit in line with this and would be further back from the road. As such, the proposal would not introduce an uncharacteristic feature.

14. With regards to the relationship between the existing property and the proposal, whilst this would be set forward of Weldon House, it would be of a significantly smaller scale, clearly a domestic ancillary building and as such would be sufficiently subservient to the host property as to not cause harm in this regard.
15. Accordingly, I conclude that the proposal would preserve the setting of the Grade II* listed building, Church of St. Peter, and preserve the character or appearance of the Little Oakley Conservation Area. In doing so, it would not harm the significance of these designated heritage assets. As such, the proposal would not conflict with the statutory presumptions of sections 66(1) and 72(1) of the Act. It would also comply with Policy 2 of the North Northamptonshire Joint Core Strategy 2011 – 2031 (2016) (NNJCS) which seeks to ensure that where development would impact on the setting of a heritage asset it would conserve and where possible enhance the heritage significance and setting, complement the surrounding historic environment through the form, scale, design and materials, amongst other things; and the provisions of the National Planning Policy Framework (2023) (the Framework) which seek to conserve and enhance the historic environment. In finding no harmful effects to the significance of the designated heritage assets, it is not incumbent on me to consider any public benefits that would flow from the proposal.

Other Matters

16. In addition to the listed Church, the submitted Heritage Impact Assessment confirms that the appeal site is in proximity to other Grade II listed buildings, No 14 and No 15 Little Oakley. From the information before me the special interest and significance of these assets primarily stem from their historic and architectural interests. However, they are also derived, to a greater or lesser extent, from their respective domestic village settings. Given the location and extent of the proposed development in relation to these listed buildings, I consider that the settings of these designated heritage assets would be preserved, and the assets' significance would not be harmed. This would meet the requirements of section 66(1) of the Act, the provisions in the Framework regarding the conservation and enhancement of the historic environment and Policy 2 of the NNJCS, referred to above. I note the Council had no concerns in this regard either.

Conditions

17. In addition to the standard time limit condition, I have imposed a condition listing the approved plans as this provides certainty.
18. The Council's questionnaire lists the suggested conditions². I note the consultee response from the Lead Planning Archaeologist and consider it necessary to include a condition relating to the potential for remains on site to give the necessary controls if remains are found during development. The Council and Appellant have agreed to the inclusion of this condition.
19. I have included a condition to secure the materials of the proposed garage in the interests of the visual character of the surroundings and to ensure that the

² Parts 11.a, 11.b, 11.c

proposal preserves the setting of the Church and the character or appearance of the conservation area.

Conclusion

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

R Norman

INSPECTOR