



Appeal Decisions

Site visit made on 29 May 2024

by J P Longmuir BA(Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2024

Appeal A Ref: APP/M2840/W/24/3338166

9 Station Road, Burton Latimer, Kettering, North Northamptonshire NN15 5PB

- 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 Andrew Harrison against the decision of North Northamptonshire Council.
 - The application Ref is NK/2023/0611.
 - The development proposed is detached garage and car port with home office above.
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Appeal B Ref: APP/M2840/Y/24/3338167

9 Station Road, Burton Latimer, Kettering, North Northamptonshire NN15 5PB

- 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 Andrew Harrison against the decision of North Northamptonshire Council.
 - The application Ref is NK/2023/0612.
 - The works proposed are detached garage and car port with home office above.
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Decision

1. Appeal A: the appeal is dismissed
2. Appeal B: the appeal is dismissed

Preliminary Matters

3. The appeals concern works and development at the Grade II listed 9, Station Road (List Entry Number: 1287094), situated within Burton Latimer Conservation Area.
4. Section 16(2) and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard is given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the Act relates to Conservation Areas and requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. I am also mindful of the historic environment policies within the National Planning Policy Framework (the Framework) that relate to the significance of designated heritage assets and their settings.
5. These appeal decisions address both planning and listed building consent appeals for the same site and the same scheme. The remit of both regimes is different, and the main issues identified below relate to either planning appeal

(Appeal A) or the listed building appeal (Appeal B) or both. To reduce repetition and the avoidance of doubt I have dealt with both appeals together within this single decision letter.

Main Issues

6. The main issues in both appeals are whether the proposed works and development would preserve the Grade II listed building or its setting or any features of special architectural or historic interest that it possesses, and whether the character or appearance of the Burton Latimer Conservation Area (CA) would be preserved or enhanced.

Reasons

7. The list description dates the historic appeal site building as probably seventeenth century. It is on Station Road and close to its junction with Kettering Road. Station Road is a row of Victorian terraces which in spite of some individual alterations appears on the whole to retain its original integrity. The Kettering Road facing side abuts a car sales forecourt, whilst to the side and rear is a garden and beyond that are a large outbuilding and garage around a hard standing for turning/parking. Behind that, and the rear of the appeal site, are 3 storey contemporary flats on rising ground.
8. I find that the special interest and significance of the listed building is partly derived from its siting, form and massing. The house is sited side on to Station Road, in contrast to its other buildings which face the road. In addition, the appeal site house has a linear form, consisting of three elements: the main element being in the middle with a small offshoot gable facing the Station Road frontage and a slightly shorter offshoot to the other side. The three elements are not only differentiated in height but also their roofing: plain tiles to the main element and front offshoot whilst the other side offshoot has natural slate with a couple of rooflights.
9. The subservient offshoots at either side emphasise the taller two storey central element of the building. Similarly, three ridgeline chimneys which being tall and in brick, together with large window openings on its front facing side, also highlight the perceived height of the central part of the building.
10. Whilst the three elements of the building are different in height and roofing, they are unified by their common natural stone walling. As a result, the eye is drawn to the expanse of walling, which has well coursed lines rounded off by ironstone quoins. Consequently, I find that the walling is part of the special interest and significance of the listed building.
11. The Conservation Area Appraisal¹ comments on the historic importance of local quarrying for ironstone and limestone, which contributed to the town's economic and built development. The house has notable stone walling in terms of the quality of its blocks and construction which being prominent emphasises that legacy. Indeed, it offers a contrast to the otherwise pre-dominance of brick in Station Road. Thus, the building due to its walling contributes to the character and appearance of the CA.
12. The appeal site building also contributes to the CA, by its siting side on to Station Road rather than front facing as the building line tends to do so. This

¹ Burton Latimer Conservation Area Appraisal 2009

provides contrast with the Victorian terraces and offers interest and diversity to the character and appearance of the CA.

13. The area to the rear and side of the building is part of its setting. This contributes to the appreciation of the special interest and significance of the listed building by firstly, providing open space to allow uncluttered views of the building, and secondly by being deferential, thereby allowing the form of the house and its stone walling to stand out. Similarly, the space contributes to the CA by giving the building prominence which allows it to contrast with the red brick Victorian terraces facing Station Road.
14. The proposed garage would be segregated from the existing house by a discernible gap, so physically would not impinge upon it, but nonetheless they would be seen and experienced together.
15. The proposed building would be a similar height to the existing offshoot and given the gap between, I find that the height itself would not be competitive or harmful. However, three dormers are proposed at eaves level with long rooflines. The dormers would create a fussy and bulky roofscape which would detract from the historic building so that the eye would not be focussed on its linear form, lively roofline and expanse of stone walling. Consequently, the dominance of the historic building would be lost, thereby harming the setting and significance of the listed building and its visible contribution to the CA.
16. The submitted plans show the new building would join the appeal site boundary wall on the Kettering Road side. Whilst the plans show it being retained, it would nonetheless be obscured from the relationship with the house. I find that this is not a feature of any special architectural or historic interest being only two small sections of differing brick and poor quality stone, whilst the other boundary (facing the flats) has a close boarded fence. In addition, no evidence has been provided to show that this boundary is of particular historic or cultural importance. Consequently, I conclude that joining and obscuring the wall would not be harmful and I note the Council do not record any objection on this aspect.
17. The existing garage has a flat roof with pre-cast concrete sides. It is not attractive nor has any historic or cultural significance, and accordingly its removal would be a benefit, albeit limited being small and sited away from the listed building.
18. Overall, I consider that the proposal would be harmful to the designated heritage assets and the degree of harm would be less than substantial.

Other Matters

19. The Council had no objection on parking provision and highway safety as the proposal maintains sufficient parking spaces to comply with its standards as well as manoeuvring space for vehicles to enter and leave the site in a forward gear. I similarly concur. The Council also had no concern about impact on the living conditions of neighbouring residents, and I also similarly concur noting the segregation from the nearest neighbouring dwelling.

Heritage and Planning Balances

20. Whilst I have found the harm arising would be less than substantial, Paragraph 205 of the Framework advocates great weight to the asset's conservation. I

therefore give considerable importance and weight to the harm I have identified in my balancing judgment below.

21. The submitted details show the proposal is intended to provide home office space as well as additional space to allow for the particular needs of the family². I acknowledge the proposal would assist in the wellbeing of the occupants and help towards the local economy. As I have found above the removal of the existing garage would be an improvement. However, taking the benefits together as a whole I conclude that they would not be of sufficient weight to outweigh the harm identified to the significance and special interest of the designated heritage assets.
22. In respect of Appeal B, I consider that the proposed works and development would fail to preserve either the setting and special architectural or historic interest of the Grade II listed building; and would fail to preserve or enhance the character or appearance of the Conservation Area. Consequently, the proposals would be contrary to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
23. Policy 8 of the North Northamptonshire Joint Core Strategy (CS) requires development to respond to the site's immediate and wider context and local character. Policy 2 requires new development to complement the surrounding historic environment through form, scale, design and materials. As I have found above the proposal would be harmful to the character of the site and the designated heritage assets, and so would conflict with policies 8 and 2 of the CS.
24. I have found no harm in terms of impact on living conditions or highway safety and so the proposal would not conflict with other criteria in Policy 8 on those particular aspects.
25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the plan unless material considerations indicate otherwise. Paragraph 11(c) of the Framework states that decision taking means approving development proposals that accord with an up-to-date development plan without delay. In respect of Appeal A, the proposal would be contrary to the Development Plan when taken as a whole and material considerations do not indicate the proposals should be approved.

Conclusion to both appeals

26. For the reasons given above and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

John Longmuir

INSPECTOR

² Appendix C Justification Statement