



Appeal Decision

Site visit made on 17 June 2024

by A Hartley, LLB(Hons), Solicitor, MBA

an Inspector appointed by the Secretary of State

Decision date: 01 August 2024

Appeal Ref: APP/M2840/D/23/3330312

23 Queen Street, Geddington, Kettering, Northamptonshire, NN14 1AZ

- 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 Miss Lynn Buckley against the decision of North Northamptonshire Council.
 - The application Ref is NK/2023/0353.
 - The development proposed is for the demolition of a front boundary wall to facilitate off-road parking with associated extension of vehicular access and alterations to hardstanding.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal property is a Grade II listed building. Consequently, the front boundary curtilage wall has listed status. Section 66 of the 1990 Act applies which requires special regard to be had to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.
3. The site lies within the Geddington Conservation Area (GCA) and therefore Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) applies which requires special regard to be had to preserving or enhancing the character or appearance of the conservation area.
4. The National Planning Policy Framework (the Framework) has been updated since the appeal representations were made. However, as the revisions do not affect the matters under consideration in this appeal, (other than paragraph references) it was not considered necessary to seek further comment.

Main Issues

5. The main issues are the effect of the proposal on (i) the listed building No. 23 Queen Street and its setting and (ii) the character and appearance of the GCA.

Reasons

Listed Building and its Setting

6. The traditional limestone rubble fabric used in both No. 23 and its curtilage wall is mentioned in the listing description. The setting comprises a front garden enclosed by a low wall of the same historic fabric as No. 23 and other surrounding dwellings. Demolition of the wall would result in the loss of historic fabric and would adversely affect the setting of the building as the historic enclosure that connects No. 23 and its front garden would be lost. Parked vehicles on the frontage would also adversely affect the setting of No. 23, appearing dominant and incongruous within the garden area.
7. I find that this level of harm to the historical and architectural significance of No. 23 as a designated heritage asset, would by virtue of its nature and extent amount to a level of harm that in terms of the Framework would be less than substantial.

Character or Appearance of the Conservation Area

8. Predominant features of this part of the GCA are buildings fronting onto Queen Street, with historic walls of traditional materials continuing the built form where dwellings are set back, as in this case. The curtilage stone wall is of a traditional limestone rubble with distinctive copings. It is an historic and attractive feature in the street scene and makes a positive contribution to the character and appearance of the GCA by continuing the built form along Queen Street.
9. Demolition of the wall would fail to preserve or enhance the character or appearance of this part of the GCA and would cause harm by creating an opening and reducing the enclosure of the street scene which is a key characteristic of this part of the GCA. The proposal would also introduce car parking at the frontage, which would appear incongruous in the street scene. The proposal would not impact on other key features of the GCA and I therefore find it causes a level of harm to the GCA that is less than substantial in terms of the Framework, when taken as a whole.

Conclusion on Heritage Assets

10. In exercising my statutory duty under Section 66 of the 1990 Act I have attached great weight to the identified harm to the listed building and its setting. In exercising my statutory duty under Section 72 of the 1990 Act, I have attached great weight to the identified harm to the character or appearance of the conservation area.
11. The introduction of two off street parking places benefits the private occupier of the appeal site and does not amount to a public benefit. The access would need to be kept clear of parked vehicles in any event and so there would be very limited net gain in terms of on street parking.
12. Having regard to paragraph 208 of the Framework, from the evidence before me I find that there is no public benefit that justifies that harm. I therefore conclude that the appeal proposal would cause unjustified harm to the designated heritage assets.

13. For the above reasons, I find that the proposal conflicts with Policy 2 - Historic Environment and Policy 8 - Place Shaping Principles of the North Northamptonshire Joint Core Strategy (JCS) (2016) and Policies GED1 and RS5 of the Local Plan for Kettering Part 2 (LPP2) (2021), as it fails to respect the positive character of the historic core, the historic character of the settlement or preserve or enhance the heritage asset or its setting or the conservation area.

Other Matters

14. The existence of another opening at No. 17 Queen Street does not justify the harm to the character or appearance of the conservation area or the harm to the listed building and its setting that would be caused by the proposal.
15. An interested party's concerns regarding impact on access rights over the appeal site are not of relevance to the planning issues raised by the appeal scheme.
16. The Parish Council's comments regarding visibility splays and parking are noted. If the appeal had been allowed it would have been necessary to address these matters, but as I am dismissing the appeal for other reasons and since it would not affect the overall outcome, it is not necessary to assess these points any further.

Conclusion

17. Having taken into account all representations made, for the reasons given above, I conclude that the proposal conflicts with the development plan as a whole and with the provisions of the Framework in relation to heritage assets. There are no material considerations that would justify a decision other than one in accordance with the development plan. The appeal should be dismissed.

A Hartley

INSPECTOR