



Appeal Decisions

Site visit made on 14 November 2024

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th December 2024

Appeal A Ref: APP/W2845/W/24/3348343

**Keepers Cottage, Chapel Lane, Maidford, West Northamptonshire
NN12 8HU**

- 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 Mrs Rachel Graley against the decision of West Northamptonshire Council.
 - The application Ref is 2024/1127/FULL.
 - The development proposed is first floor rear extension above the existing single storey rear extension.
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Appeal B Ref: APP/W2845/Y/24/3348341

**Keepers Cottage, Chapel Lane, Maidford, West Northamptonshire
NN12 8HU**

- 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 Mrs Rachel Graley against the decision of West Northamptonshire Council.
 - The application Ref is 2024/1674/LBC.
 - The works proposed are first floor rear extension above the existing single storey rear extension.
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Decisions

1. **Appeal A** is dismissed.
2. **Appeal B** is dismissed.

Preliminary Matters

3. As the proposal relates to a listed building which is within a Conservation Area, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) (the Act).
4. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.

Main Issue

5. The main issue is whether the proposal would i) preserve the Grade II 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 Maidford Conservation Area.

Reasons

Special interest and significance

6. The appeal property, Keepers Cottage, is a Grade II listed¹ building that fronts onto Chapel Lane within the village of Maidford. It dates from around the early 18th Century. The building is a single cell two-storey cottage with attic living space. It is constructed from coursed squared ironstone set under a steeply pitched ridged tile roof finished with brick end stacks. The front elevation has three 2-light casement windows and one 3-light casement window, all with stop-chamfered lintels.
7. The cottage has previously been extended with a single storey extension to the side, running parallel to Chapel Lane. This connects the cottage with the neighbouring property and, due to its single storey height, creates a gap between the buildings at first floor level.
8. At the rear of the appeal property, various extensions have taken place including the single storey extension where the proposed additional floor would be added. This existing rear extension has a slanted roof form and is offset from the main cottage building. Other single storey additions have been added to the rear of the property, currently used as storerooms.
9. The architectural detail on the front elevation and its use of coursed squared ironstone emphasises the status of the building within the village. In contrast, the rear elevation has a plainer appearance with a large expanse of uninterrupted stone walling and a rather disordered mix of single storey additions. In this respect, the status differentiation between the polite front elevation and the plain, more serviceable rear elevation of the building is evident.
10. Given the above, 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 an early 18th Century cottage, as well as the historic fabric and features that survive from the physical origins of the historic building. As part of this and pertinent to the appeals, the legibility of the historic architectural form and features of, and distinction between, the primary front and secondary rear elevations is an important contributor.
11. The listed building is located within the Maidford Conservation Area (CA). The Council's Maidford Conservation Area Appraisal and Management Plan states that Maidford has great architectural and historic character, particularly on Chapel Lane. This part of the CA is characterised by small vernacular style cottages, constructed in ironstone, with steeply pitched roofs. The properties tend to sit with their ridge parallel to the road. This, along with the placement at the road edge, creates a sense of continuity between the built form. The special interest and significance of the CA mainly stems from the varying ages and architectural styles of its buildings that reflect the evolution of the village.
12. The appeal listed building is located within the historic core of the village in a prominent position on Chapel Lane, being the first building on the northern side of the road. It largely retains its overall external historic character and form, making a positive contribution to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

¹ List Entry Number: 1040877 – Brown Walls, Chapel Lane - Grade II

Proposal and effects

13. The proposed extension would be built above the existing rear single storey extension to create a first-floor level. However, the existing extension is offset and misaligned with the main cottage building. This unbalanced positioning already detracts from the form and layout of the main structure. Increasing its height would exacerbate this situation, resulting in development and works which would not make a positive contribution to the listed building.
14. Due to the offset position and height increase, the proposal would project further to the side of the cottage. This, combined with its scale and bulk, would create a disproportionate addition that would fail to harmonise with the building's simple, planned form. Consequently, the proposal would neither appear physically nor visually subordinate to the listed building.
15. Furthermore, its roof apex would extend beyond the gable end of the cottage, appearing as an incongruous feature that would be seen from Chapel Lane, above the side single-storey extension. It would visually compete with the listed building, eroding its architectural integrity.
16. Additionally, the proposed gable feature to the rear elevation would be unduly dominant and its positioning would unbalance the existing cottage, to the detriment of the listed building. The proposal would therefore be at odds with the existing building, appearing awkward and unrelated to its scale and design. This would harm the legibility of the listed building and its historical form.
17. The proposal's modern fenestration would not be seen from the street-scene. However, the introduction of large glazing panels to the rear, including those extending up to the apex of the proposal's roof, would be an unfamiliar feature to the listed building and thus not sympathetic to its historical design. Moreover, the glazing would be clearly seen from within the appeal site. In any event, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
18. Whilst some materials used for the proposal would be reflective of the materials used elsewhere in the locality and would be similar to the appeal building, this would not justify development and works that would result in harm to a heritage asset.
19. Taking into account the building's prominence along Church Lane, it follows that the identified negative effects to the listed building would also harm the positive qualities of the CA as a whole. In these regards, the proposal would not preserve or enhance the character and appearance of the CA and thus harm its significance as a designated heritage asset.
20. Drawing the above together, I find that the proposal would not i) preserve the Grade II 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 CA. In doing so, it would harm the significance of these designated heritage assets.

Public benefits and balance

21. 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.
22. In this case, economic benefits would be delivered through the manufacturing and construction phase and the general investment into the property. There would also be social benefits generated by an improvement to the local housing stock. These outcomes would be moderated by the extent of the scheme, but still weigh in favour of the appeals. Nevertheless, the proposal to create additional living space, including a family room on the ground floor and a fourth bedroom and family bathroom on the first floor, and a desire to have views overlooking the rear garden, would primarily be a private benefit to the occupants of the property.
23. I am not persuaded that similar benefits could not be achieved by a proposal which would be less harmful to the significance of these designated heritage assets. Additionally, no compelling evidence is before me which confirms that the property would not be useable or viable as a dwelling or that its future would be at risk if the appeals were to fail and the development and works as proposed were not implemented. In these respects, the identified harm to the significance of the designated heritage assets has not been clearly and convincingly justified as required by Paragraph 206 of the Framework.
24. 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 minor public benefits arising from the proposal.
25. I conclude that the proposal would not i) preserve the Grade II 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 Maidford Conservation Area. It would therefore fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.
26. It would also conflict with Policy BN5 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) (adopted 2014), and Policies HE5, SS2, SPD1, HE1 and HE6 of the South Northamptonshire Part 2 Local Plan 2011-2029 (adopted 2020). Collectively, these policies amongst other things, seek to ensure development conserves and enhances heritage assets, including their settings, are of an appropriate scale, form, massing and design, and is compatible with the distinctive local character of the area.

Other Matters

27. The proposal would not have a detrimental impact upon neighbouring amenity. I also note a letter of support was received. Nonetheless, these are neutral considerations and therefore do not weigh in favour of the proposal.

28. My attention has been drawn to an outline approval for a two-storey extension at the back of the appeal property that was granted permission in 1979. However, this permission was not implemented and pre-dates current national and local planning policy. As such, this previous permission does not alter my conclusions.
29. It is suggested that the neighbour's rear extension is clearly visible from Chapel Lane. However, during my site visit I observed that this rear extension was positioned immediately behind the neighbouring dwelling and set down in height, with only glimpsed views possible from Chapel Lane. This differs from the proposal before me which would be positioned offset from the main cottage building. Nevertheless, each case must be decided on its own merits, and I am not fully aware of all the circumstances relating to this other extension. For the appeals before me, the proposal would not be appropriate for the reasons given.
30. Concerns have been raised regarding car parking at the appeal site. However, this did not form one of the Council's reasons for refusal in its decision notice. Given that I am dismissing the appeals for the reasons above, I do not need to consider this matter further.

Conclusions

31. **Appeal A:** The proposed development would conflict with the development plan when taken as a whole. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
32. **Appeal B:** For the reasons given, I conclude that Appeal B should be dismissed.

H Smith

INSPECTOR