



Appeal Decision

Site visit made on 6 June, 2025

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 05 September 2025

Appeal Ref: APP/M2840/W/25/3358330

Land Adjacent 11A Water Lane, Cottingham LE16 8XU

- 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 Diane Crane against the decision of North Northamptonshire Council.
 - The application Ref is NC/21/00270/DPA.
 - The application is for alterations to barn conversion. Additional windows and changes to fenestration, new chimney and demolition and reconstruction of Dovecote with raised roof level. Raised eaves level of Kitchen roof and reduction in garden levels.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to barn conversion. Additional windows and changes to fenestration, new chimney and demolition and reconstruction of Dovecote with raised roof level. Raised eaves level of Kitchen roof and reduction in garden levels as per application ref: NC/21/00270/DPA subject to the conditions as outlined in the Schedule below.

Main Issues

2. The main issue is the effect of the proposal upon the living conditions of neighbours and upon the character and appearance of the Cottingham and Middleton Conservation Area.

Reasons

3. The appeal property is an existing, vernacular outbuilding seemingly at one time associated with 11A Water Lane within the historic village of Cottingham. Water Lane itself is a very attractive historic street that meanders uphill from the lower Welland valley past the Church of St Mary Magdalene before historically connecting to the main road above. Although Water Lane is now closed to through traffic it exudes an aesthetic value associated with the historic environment which is highly positive.
4. The existing building is of a linear form that runs parallel to that of the frontage house albeit set back behind the frontage range of buildings. It is of the same honey coloured stone as the rest of the village and contains a small right angle outshot that contributes to a courtyard enclosure historically associated with 11A. Although the existing building is in a poor state of repair, the appeal property contributes in a very positive manner to the character and appearance

- of the Cottingham and Middleton Conservation Area although its current state of repair has the potential to detract should disrepair continue.
5. The site has had a previous planning approval for conversion of the outbuilding to a dwelling¹ that was granted in 1999 and subsequently implemented in 2004. The Appellant's have advanced this previous consent as a fallback position and I concur that this should be treated as such. Notwithstanding this however I have assessed the appeal before me taking into consideration the scheme as a whole even were this permission not to be extant.
 6. The proposal before me now differs slightly to this previous scheme but would essentially convert the existing building and repair the associated dovecote through rebuilding of what is now a near derelict structure. The amount of windows have been reduced through subsequent negotiation, but essentially there would be two windows to first floor level and five to the ground floor along the south elevation with only rooflight windows facing north. The off street parking would be accommodated to the side of the property from an existing opening where rather generous visibility splays were included which may not be necessary under current regulations.
 7. In considering this appeal I consider that there are essentially two elements at stake here. Firstly, is the effect of the proposal upon the living conditions of neighbours and, secondly, the effect of the proposal with regards the character and appearance of the Conservation Area.
 8. I am required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give 'Special Attention' to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is reflected in The National Planning Policy Framework (The Framework), which states that 'Great Weight' should be given to the heritage assets' conservation and also illustrates the positive contribution that heritage assets can make to the creation of sustainable and economically viable communities.
 9. This requirement is reflected within Policy 2 and Policy 8 of the North Northamptonshire Joint Core Strategy (Core Strategy) that reflect the National Planning Policy Framework in their emphasis upon good placemaking and custodianship of the historic environment.
 10. The Cottingham and Middleton Conservation Area (CA) is significant due to the topographical location of the settlements within the Welland Valley and the plethora of vernacular and traditional buildings that remain extant within them. As mentioned above, Water Lane is clearly a very old street and, despite some historic demolition and rebuilding back of the historic front building line, it retains much of this character both in materials and built form. Both 11A and the barn in question contribute in a highly positive manner to the CA and are tangible reminders of the area's agricultural and historic significance.
 11. It is my real concern that unless a suitable scheme is brought forward for this building then further dilapidation would occur. As such I give great weight to the need to preserve this building and the relative urgency to ensure a future occupancy of it.

¹ Planning reference number: 98/00195/CO

12. I consider that the reference to tandem development within Policy 16 of the LP is primarily concerned with new development within rear gardens that could indeed introduce a new situation that would be thoroughly at odds with the character of an area as well as leading to amenity issues such as overlooking and added activity into previously unbuilt upon rear gardens. The same is true of the prescription for overlooking distances as mentioned in the Officer report. In this regard I consider it would be somewhat at odds with the above policies that seek to protect the historic environment were Policy 16 of the Local Plan² (LP) and the reference to tandem development be taken too prescriptively.
13. Although the approach of Policy 16 is important with regards its approach to protect the amenities of neighbour, the problem with applying this policy too rigidly in this case is that the fine grained character of the CA would be unable to accommodate many such requirements without causing significant harm to the very character that define it. As such I consider that it would be very difficult to meet all of the requirements of Policy 16 in this specific context and, were this scheme to try, it would make any development of this important building untenable and would run the significant risk of this building remaining derelict for the considerable future.
14. Notwithstanding this however, this does not in itself alleviate the concerns of adjoining residents. The proposal would include windows to its south elevation that faces onto number 11A Water Lane but these have been significantly reduced from the first scheme. The distances are inevitably tight due to the character of the village and the associated historic common ownership and relationship between the two properties, however, this is the character of such an area where overlooking distances are often below that which would be required in new development today.
15. As such there is often a balance to be made between protecting the perception of overlooking and the sensitive character of the historic environment. The Appellant has demonstrated through their section plan that there would be no overlooking from ground floor windows and this shielding would be reinforced by the proposals to improve the boundary division between the two properties. I also saw on my site visit that there is currently a gable outshot to the rear of number 11A that considerably lessens the amount of windows to this rear elevation with only one such window to the first floor that would have the opportunity to overlook this site and this would be at a slightly oblique angle and further impeded by the associated change in levels between the two properties.
16. In assessing this appeal therefore with regards such overlooking, I consider it right to use existing openings in this historic structure rather than trying to block them or create new ones. I also consider that significant reductions have been undertaken to relieve any potential for overlooking with the only window likely capable of achieving such a role being a single secondary bedroom window to the first floor which would not be significant nor unusual in such a tight grained historic context. As such I consider that the proposed plans effectively mitigate any significant impact in this regard and that the Policy requirements would be met.

² Policy 16 of Part 2 Local Plan for Corby September 2021

17. Coming to the potential for amenity issues with regards the property to the rear at 12A Corby Road, I can see no adverse impact would be sustained by this property other than the very real risk of this building becoming more dangerous and derelict were it not to be used. In terms of the proposed chimney to the Dovecote, I consider that such matters would be addressed by other regulatory requirements and note the absence of any objection from the Council's Environmental Health officers.
18. Ultimately, I give great weight to the increasingly pressing need for this building to be repaired and achieve its potential to be reused. Such reuse would represent a significant benefit to the character and appearance of the CA and there would be significant public benefits to the historic environment as a result of this subject to details as set out in the conditions schedule below. As such I consider that the overriding policy requirement of Policies 2 and 8 of the Core Strategy and the general desire to mitigate or protect the living conditions of neighbours through Policy 16 of the LP would be met through this proposal.

Conditions

19. I have included the conditions as suggested by the Council but have also taken the Appellant's suggestion for a condition with regards wildlife surveys to be prudent due to the length of time that the buildings have remained unoccupied and the potential for wildlife to be inhabiting them.

Conclusion

20. As such, for the reasons given above, and taking into account of all other matters raised, I allow the appeal subject to the conditions as outlined below.

A Graham

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.
2. The development hereby approved shall be built in accordance with the following approved plans; Block Plan A – _17th January 2020, Location Plan – _17th January 2020, Proposed site layout – _1610-07 D, Proposed Ground Floor Plan – 1610-04 B, Proposed First Floor Plan – _1610-05 C, Proposed Elevations – _1610-06 E, Proposed Front Garden Wall – _1610-08, Overlooking sight lines Plan – _1610-09
3. Material samples for the external materials, of the external stone and roofing slates, shall be available for physical inspection on site to compare with the existing, before the relevant parts of the work are commenced and be approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved samples before the building is occupied.
4. Sample panel of stone for rebuilding, complete with details of lime mortar, to be built a minimum of one week prior to inspection and prior to re-construction of dovecote walls and be approved in writing by the Local Planning Authority.
5. Manufacturers details of the conservation rooflight and sun pipe/tube showing section and frame sizes at a scale of 1:10 shall be submitted prior to the commencement of work and be approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details before the building is occupied.
6. Joinery, doors and window details, elevations and section drawings at a scale of 1:10 shall be submitted prior to the commencement of work and be approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details before the building is occupied.
7. Prior to the commencement of the development (including demolition or site clearance) hereby permitted, a full, non-verbose or repetitive, CTMP (Construction Traffic Management Plan) shall be submitted to and be approved in writing by the local planning authority. The Plan is to include the following elements;
 - Detailed work timetable.
 - Site HGV delivery / removal hours to be limited to between 09:30 – 16:00 unless otherwise approved as part of the CTMP.
 - Detailed routeing for demolition, excavation, construction and abnormal loads.
 - Supply of pre-journey information on routeing and site restrictions to contractors, deliveries and visitors.

- Detailed plan showing the location of contractor & visitor parking and turning as well as un/loading point, turning and queuing for HGVs.
 - Details of debris management including location of wheel wash, programme to control debris spill/ tracking onto the highway to also include sheeting/sealing of vehicles and dust management.
 - Details of public impact and protection to include road, footway, cycleway and PRow.
 - Public liaison position, name, contact details and details of public consultation/liason.
 - Provision for emergency vehicles.
8. Prior to work commencing on site a Preliminary Ecological Survey shall be carried out and agreed in writing by the Local Planning Authority.