
Appeal Decision

Site visit made on 27 August 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 October 2025

Appeal Ref: APP/M2840/Y/25/3360304

35 High Street, Brigstock, Kettering, Northamptonshire NN14 3HA

- 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 Jayne Huburn against the decision of North Northamptonshire Council.
 - The application Ref is NE/24/00185/LBC.
 - The works proposed are infill works to existing walled court areas to provide accommodation area comprising new suspended floors and infill flat roof areas with flat roof lights, general associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The above description is taken from part E of the appeal form and the Council's decision notice, in the interest of clarity.
3. The appeal relates to the Grade II listed building known as 'No 35 High Street', which is located within the Brigstock Conservation Area (CA). In reaching my decision, I have considered the statutory duties under sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 (the Act).
4. Whilst the appellant sets out in the heritage statement that only certain elements require listed building consent, the description relates to the whole scheme which is before me. In addition, whilst the Council did not raise concerns about certain elements of the scheme, I am required to discharge the relevant statutory duties set out above.

Main Issues

5. The main issues in this case are whether the proposed works would preserve the listed building or its setting, or any features of special architectural or historic interest that it possesses and preserve or enhance the character or appearance of the Brigstock CA.

Reasons

6. The appeal property is a grade II listed building fronting directly onto the High Street within the settlement of Brigstock. The property was listed in 1988 and consists of a Mid/late 18th and 19th century two storey (with attic) detached dwelling, constructed of squared coursed limestone with a Collyweston slate roof. It has a 3-window range of casement windows, with glazing bars, under wood lintels. The roof features three pitched roof dormers to the front and rear, stone

chimneys and raised parapet gables. Glazed double doors are inserted to the rear off the living area. To the rear is an enclosed garden area and courtyards bounded by coursed limestone walls. This area contains single storey outbuildings, including a detached shed/garage.

7. The listing description¹ refers to a 3 unit plan, although the submitted heritage statement² identifies that the property was historically 2 former dwellings that was part of several properties in a continuous road fronting terrace. The access to the side courtyard from the High Street, through a doorway within the boundary limestone wall, is where there previously stood a small terraced dwelling.
8. The narrow simple road fronting historic form of the building remains legible, including internally with its three main rooms retaining ceiling beams, two of which also have open fireplaces with bressumers.
9. Given the above, I find that the special interest and significance of the listed building to be primarily associated with its historic and architectural interests as a good illustration of mid late 18th and 19th century vernacular domestic architecture. Important contributors in these regards which are pertinent to the appeal are legibility of its historic plan-form; extant historic fabric; and key historic features and detailing.
10. The rear outbuildings are of varying scale and materials and appear visually separate to the main property. They do not obscure the historic form of the primary building and have a neutral effect on the asset's historic and architectural interests and therefore significance. The generally open domestic garden/ courtyard setting of the listed building allows its historic form to be experienced and therefore contributes in a positive way to its special interest. The form and separation of the rear outbuildings mean that they do not affect the ability to appreciate the listed building's architectural interest.
11. The appeal site is located within the Brigstock CA. I observed that the significance of the CA as a whole largely derives from its Saxon origins, and the rich and cohesive number of vernacular historic buildings that denote its evolution.
12. As a part of a vernacular 18/19th century residential townscape, No 35 High Street contributes positively to the character and appearance of the CA as a whole.
13. The proposed works entail the enclosure or infilling of two existing courtyards, the conversion of an existing outbuilding to living accommodation that would involve new doors and windows and the insertion of a new suspended floor, and the replacement of a detached existing shed/garage with an open timber frame car port.
14. The works would visually connect the existing storage outbuilding to the main house through the addition of flat roofs to the courtyards to create living accommodation. It would no longer be read as a collection of stone walls and an outbuilding, but as an irregularly shaped single extension of significant length, which would double the footprint of the historic property. This would result in a L shaped building that would compromise the historic simple form of the building.

¹ List Entry Number: 1294236

² By Griffin Associates

15. The inappropriate nature of the resultant extension would be exacerbated by the flat roofed elements, which would appear as a starkly and overtly contemporary design incongruously contrasting with the historic traditional slate pitched roof dwelling.
16. Given the height of the existing side walls these flat roofed elements would not be particularly conspicuous when viewed from the garden area, adjacent properties or the public highway. However, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether changes to them are apparent from public vantage points.
17. A high level window is also proposed, sitting above the raised westernmost flat roof. As a narrow window of significant width, this would also appear as an inharmoniously modern addition, contrasting harmfully with the established traditional rear casement windows.
18. Whilst the appellant sets out that the new flat roof will be constructed over and set inside the existing walls, and that the fabric of the listed building would not be affected, no detailed drawings illustrating this nor how the new roof would connect to the side wall of the main house is provided, nor how the lower courtyard flat roof would connect to the existing outbuilding and walls. The plans also state that the existing wall on the southern side of the lower courtyard would be 'raised to suit', and the appellant clarifies that *'if the wall needs to be raised it is only by a nominal amount'*. It is not clearly shown on plan exactly what additional height would be necessary, nor is it specified what elements exactly of the wall *'will remain as existing throughout with natural stonework retained wherever practical, or otherwise dry lined to include insulation.'*
19. Furthermore, the submitted plans do not illustrate the rear elevation of the lower courtyard living space, including the new doorway. In order to avoid any uncertainty over what is proposed, and to allow a robust assessment of any consequent effects these details should be provided. Again, given the ambiguity, I cannot be certain that these elements of the scheme would preserve the listed building's special interest and not harm its significance. Given the importance of these details and the listed status of the building, I am not satisfied that it would be appropriate or acceptable to leave such important matters to be dealt with by conditions.
20. I conclude that the proposed works would fail to preserve the special architectural and historic interest of the Grade II listed building, No 35 High Street and would harm its significance as a designated heritage asset.
21. The above harm to significance would result in some residual harmful effect to the character and appearance of the CA. It would not therefore preserve the character and appearance of the CA as a whole and would harm its significance as a designated heritage asset.
22. Given the fairly localised nature of the works relative to the building and CA as a whole, I find the harm to both heritage assets to be, individually and cumulatively, at a minor level of 'less than substantial' but nevertheless is of considerable importance and weight.
23. There are aspects of the scheme that would undoubtedly be positive and of public benefit. Heritage benefits would accrue from the removal of harmful features; in

this case the existing modern detached existing shed/garage at the rear of the property, constructed of corrugated iron sheets and timber, and its replacement with an open timber frame car port.

24. There would also be some economic benefits brought about through the investment into the property and the construction phase. Also, social benefits would be gained through improvements to the local housing stock and standard of accommodation.
25. Given the scale of the works, any benefits from sustainable construction, improved insulation and the environmental benefits of matters such as harvested water are each likely to be small. There is no substantive evidence before me that the works are required to secure the optimum viable use of the listed building.
26. The appellant references a subsequent consent for a similar scheme, however substantive details of this are not before me, and as such I cannot compare the schemes nor give this issue much weight in favour of the proposal.
27. Paragraph 212 of the National Planning Policy Framework (the Framework) indicates that, when considering the impact on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. On balance, in giving considerable importance and weight to the harm to the significance of this designated heritage asset, I find that this would not be outweighed by the public benefits that the proposal would generate.
28. Consequently, the harm identified to the significance of the designated heritage assets has not been supported by clear and convincing justification. The works therefore would conflict with the statutory presumptions set out in sections 16(2) and 72(1) of the Act and fail to satisfy the historic environment conservation and enhancement policies of the Framework. There is also conflict with Policies 2 and 8 of the North Northamptonshire Joint Core Strategy (2016), Policy EN12 of the Northamptonshire Local Plan (2021) and Policy B16 of the Brigstock Neighbourhood Plan 2011-2031 (2019), insofar as these collectively require proposals to respond to the site's immediate and wider context and local character, conserve and where possible enhance heritage assets, and reflect the distinctive, traditional character of Brigstock.

Other Matters

29. Any inconsistency on behalf of the Council or misrepresentation of the Conservation Officer comments is a matter for local government accountability, not for the appeal in front of me. I have considered the appeal on the basis of the information submitted and my observations on site.

Conclusion

30. For the reasons given above, I conclude that the appeal should be dismissed.

B Phillips

INSPECTOR