



Appeal Decision

Site visit made on 5 November 2025

by Eleni Marshall BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 November 2025

Appeal Ref: APP/W2845/D/25/3372008

1 Canalside Cottages, Bridge Road, Stoke Bruerne, West Northamptonshire, NN12 7SE

- 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 Mrs C Murray against the decision of West Northamptonshire Council.
 - The application reference is 2025/1569/FULL.
 - The development proposed is proposed outdoor seating area.
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Decision

1. The appeal is allowed, and planning permission is granted for proposed outdoor seating area at 1 Canalside Cottage, Bridge Road, Stoke Bruerne, West Northamptonshire, NN12 7SE in accordance with application ref: 2025/1569/FULL and the plans submitted with it subject to the following conditions:
 - 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission;
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 279 OS Map P01, 279-009 P04, 279-008 P04 and 279-007 P04;
 - 3) Samples and/or details of the bricks to be used in the construction of the development shall be submitted to and approved in writing by the Local Planning Authority prior to their use on site. The bricks will be maintained for the lifetime of the development, and any changes shall be submitted to, and approved in writing by, the Local Planning Authority.

Procedural Matters

2. The Council's decision notice cites harm to the Grand Union Canal Conservation Area (CA) but also refers to the Stoke Bruerne Conservation Area Character Appraisal and Management Plan 2016 (SBCAAMP) within the refusal reason. The latter document states that the area of the CA where the appeal site is located is not part of the Stoke Bruerne Conservation Area (SBCA). This is different to the SBCAAMP which states that the importance of the canal to Stoke Bruerne cannot be underestimated hence its inclusion within SBCA. As with the last appeal for this site, for the avoidance of doubt and to ensure appropriate compliance with statutory duties under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 both CA's have been taken into consideration.

Main Issue

3. The main issue is the impact of the proposal upon the Grand Union Canal Conservation Area and Waterways Museum building.

Reasons

4. The proposal is materially different from the previously refused application 2023/7529/FUL (dismissed via appeal reference APP/W2845/D/24/3349230). The proposal falls, therefore, to be considered on its own merits albeit there is evidently some consistency and overlap in terms of the basic site setting against which proposals need to be assessed and considered as outlined above. The appeal site currently features a decking area which is currently unauthorised and has been refused/dismissed at appeal. As is the Council's basis for assessment reference to the impact of the proposal, which is the subject of this appeal, is based on the impact when compared to the appeal site prior to the unauthorised works.
5. The appeal site forms part of a group of three storey cottages which are acknowledged, within the Grand Union Canal Character Appraisal and Management Plan 2014 (GUCCAMP) to be significant buildings in this area with their inclusion within a schedule of proposed locally listed buildings. The GUCCAMP also identifies that the key policy features of the CA include the attractive village setting of the canal including the designated SBCA which is combined with a generally busy location with public houses, locks, and boat related activities and general views which contribute to the site setting. The historic environment of the area includes late eighteenth and early nineteenth century buildings and infrastructure on the west side of the canal and later nineteenth century buildings on the east side.
6. The characteristics of the area include the linear development set around the canal, the vernacular style of buildings and the ensemble of historic canal side buildings built within the core of the medieval village after constructions of the canal. The prevalent building materials are identified as a mixture of limestone and red brick albeit I noted at the time of my site visit and as demonstrated within the appellant's statement of case, use of blue engineering bricks is not uncharacteristic within the vicinity as a result of them lining the towpath edge. The group of cottages also neighbour the Waterways Museum (which is Grade II Listed) with the appeal site being the closest cottage to that asset. The Waterways Museum is a nineteenth century former mill on the canal side which is a dominant building due to its height and being of traditional appearance and vernacular materials.
7. The row of cottages within which the appeal site stands share consistency in terms of their traditional design, horizontal emphasis and the general alignment of their front elevations including with neighbouring buildings, their vernacular materials and the unobtrusive, low lying, informal parts of their frontages which create a uniformity which results in positive contribution to the character and appearance of the local area within views along the canal as well as including positive contribution to the respective heritage assets of both CA's and the Waterways Museum. I note that within the appellant's submissions, photographs are provided of the appeal site as it appeared before existing works were undertaken. Notably this imagery demonstrates railings to the front of the appeal site to which I attribute strong weight taking into account the Council's concern regarding the iron railings and their prominence within the street scene.
8. The appeal proposal would result in interaction of the railings with the existing dwelling given that they would be located at the same height as the ground floor window sill, however, based upon the imagery provided by the appellant the original railings were at a not dissimilar height to that now proposed and as

demonstrated on the proposed elevation/cross section drawing. Compared to the previously dismissed appeal, therefore, the railings would be lower and level with the ground floor windowsill which would result in more appropriate interaction with general views of the host building. The proposal would see a raised seating area with a height in the region of 43 cm (lower than the top of the steps) extending towards the towpath. The area would be edged in brown brick to match the existing stairs, reclaimed blue brick pavers would form the majority of the area along with a black steel checker-plate cover over the stairs. The proposed raised seating area would result in a slightly more prominent hard surfaced area at the front of the existing dwelling than the previous greenery/planter area.

9. Whilst the vernacular details the unobtrusive, low lying, informal parts of the frontages of the cottages as unifying elements I find that in this case, the proposed materials, lower height railings and overall lower seating area would result in a neutral impact to the appeal site. I do not find that the inclusion of railings on the decking would result in the railings being significantly more prominent due to the comparable height to the previous railings demonstrated albeit I acknowledge they would be forward of their original location. I have no evidence to suggest that the proposed grates, placed over the existing steps, would make maintenance of the steps more difficult in terms of access (in so far as maintenance would not occur because of them) nor that the proposed grate would lead to degradation of historic fabric over time.
10. The hard landscaping, in the form of brown and blue engineering brick to create an angled pattern on the floor of the seating area, would be appropriate. I do not find that these would result in such modern design, due to the pattern, to justify refusal given that there are examples of such bricks within the locality as outlined above. The proposed materials would therefore be appropriate for the character and appearance of the setting of the appeal site which I acknowledge is located in a visually prominent location.
11. Overall, whilst the proposal would result in change to the front of the appeal site, I do not find that the change would result in harm to the CA or the SBCA nor the Grade II Listed Waterways Museum and the character and appearance of the surrounding area. The Waterways Museum would remain visually prominent as a result of dominant height and its positioning as the terminus building at the end of the row of cottages within which the appeal site stands. The proposal to utilise brown brick, blue brick pavers and black steel would be an appropriate construction approach which would not appear overtly modern in comparison to, for example, the raised decking area formed of brown timber boards with linear grooves which would be entirely uncharacteristic and inappropriate as ascertained within the previously dismissed appeal.
12. The formal arrangement, reduced height and the evidenced presence of railings previously, which the appeal proposal would now be consistent with in terms of height, means that I do not find unnecessary attention would be drawn to the proposed outdoor seating area. Despite the appeal site's very public location, along the canal towpath and next to the immediate foreground of the Waterways Museum I do not find the proposal would unacceptably detract from the prevailing traditional building forms of the vernacular nor that it would be harmful to the character and appearance of the locally listed building, setting of the respective CA's and the Waterways Museum itself. On the basis of my findings, the proposal would

preserve the settings of the CA and the CBCA as well as the Waterways Museum as designated heritage assets. As I found there would be neutral impact and preservation of those assets there is no requirement to weigh the impacts of the proposal against the public benefits of the development including, where appropriate, securing its optimum viable use.

13. Even if I had, however, agreed with the Council's assessment that the proposal would result in a moderate degree of less than substantial harm, I am conscious that the proposal would provide an outdoor space for occupiers to enjoy the canal and vibrancy of the area contributing to the local economy and visitor experiences relating to the canal which can be considered a modest public benefit which, combined with my findings as to neutral impact/preservation of the designated heritage assets in question, further supports the suitability of the revised proposals compared to the previous appeal which now form the basis of my assessment.
14. The development would preserve the setting of the nearby Grade II Listed building (the Waterways Museum) as well as the character and appearance of the CA and CBCA and would therefore satisfy the requirements of West Northamptonshire Joint Core Strategy Local Plan (Part 1) 2014 Policy BN5 which seeks to conserve and enhance designated and non-designated heritage assets and sustain and enhance the heritage and landscape features which contribute to the character of the area including conservation areas. The proposal would also be consistent with Policy R1 which requires development to preserve and enhance historic buildings and areas of historic importance including those identified in conservation area appraisals and South Northamptonshire Part 2 Local Plan 2011 – 2029 Policies SS2, HE1, HE5 and HE6 respectively which, cumulatively, seek to ensure that development will not adversely affect built heritage, preserve the setting of listed buildings and that within CA's it respects the character and appearance of the area and preserves or enhances the significance of the asset in question.

Conditions

15. The Council has suggested, within their questionnaire, three conditions in the event this appeal is allowed which I have considered and applied as appropriate. A time condition is attached to comply with Section 51 of the Planning and Compulsory Purchase Act 2004 and a condition requiring the development to be in accordance with the approved plans is required to control and define the development which is granted consent.
16. A materials condition is required, with regard to the bricks, to ensure that those selected are of an appropriate finish in the interest of visual amenity and taking into account the setting of the application site. The timing of this condition requires submission and approval of the bricks to be undertaken prior to their use on site as, evidently, details need to be approved prior to materials being brought to site. The condition requires the development to be carried out in accordance with the approved details and any deviations from this should be approved in writing by the Local Planning Authority.

Other Matters

17. I note that there has been a large volume of response from interested parties during the determination of this application. Letters in support of the proposal are acknowledged, however, given that I am minded approving the appeal for the reasons set out there is limited merit in discussing the content of those letters of

support in detail. A number of objections have been raised, however, I have dealt with matters relating to the iron railings, height of the proposal, general character and appearance, heritage assets etc within the main issues above and whilst the planning history of the site is acknowledged insofar as a similar scheme has been refused previously I am satisfied for the reasons set out that the current proposal is materially different and is now acceptable for the reasons set out based upon assessment of the case on its own merits.

18. Concern has been raised by third parties with regard to residential amenity. The council do not raise a refusal reason based upon residential amenity and based upon the evidence before me; I find no reason to conclude differently. The proposal is acknowledged to be located in the region of a metre from the boundary with 2 Canalside Cottages and would be raised in the region of 43cm above the amenity space at the neighbouring property. Given the size and modest scale of the proposal I do not find that the proposal would significantly impact on light levels of the neighbouring property, nor would it appear overbearing or result in unacceptable noise as a result of rain, or walking upon, on the proposed materials.
19. The proposal would provide some, elevated, views for utilising it as a seating area but I do not find such views would be substantially different from that of the existing stairs for example and due to the angle in relation to the windows direct views would be limited and overall the proposal would not adversely impact on the amenity of other neighbouring properties in the area with the views available from the proposed decking being similar to that of the existing views from within the public realm and canal towpath itself immediately outside the row of cottages within which the appeal site stands.

Conclusion

20. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed subject to conditions.

Eleni Marshall

INSPECTOR