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**Name and address of agent:**

**Mr A Currall  
Alan J Currall Ltd  
35 Woodland Avenue  
Barton Seagrave  
KETTERING  
Northamptonshire  
NN15 6QW**

**Name and address of applicant:**

**Mr M Soames  
33 St Edmunds House  
Warkton  
Warkton Village  
KETTERING  
Northamptonshire  
NN16 9XF**

## **NOTICE OF REFUSAL**

**Town and Country Planning Act 1990 (as amended)**

**Part I – Particulars of application**

**Date Valid:  
28 April 2023**

**Application Number:  
NK/2023/0260**

**Location:  
33 St Edmunds House, Warkton, Warkton Village**

**Description:  
Create a structural opening to rear to insert external doors**

**Part II – Particulars of decision**

**North Northamptonshire Council, having considered a valid application for the above development, in pursuance of its powers under the above-mentioned Act**

## **REFUSE PERMISSION**

**for the development as described in Part I above for the following reasons:**

1. The proposed structural opening would be detrimental to the special historic and architectural character and significance of the Grade II listed building, causing less than substantial harm. No public benefits have been identified which would outweigh the harm caused to the heritage asset. Therefore, this proposal is contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 16 of the National Planning Policy Framework and Policy 2 of the North Northamptonshire Joint Core Strategy.

## INFORMATIVES:

1. In accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015, Article 35(2). The Local Planning Authority has worked positively and proactively with the applicant to overcome problems arising from the application. Although, it was not possible through seeking [amended plans/negotiations/additional information] to overcome all the planning issues and planning permission/consent is refused, several potential reasons for refusal have been negated through positively and proactively working with the applicant.
2. The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	NK Ref.	Agent's Ref	Received Date	Status
Location & block plan		651-00	28/04/23	Refused
Existing elevations & floor plans		651-01	28/04/23	Refused
Proposed elevations & floor plans		651-02	28/04/23	Refused
Design & access statement & heritage & impact justification statement	NK/2023/0260/1		28/04/23	Refused

## Decision Date:

23 June 2023



**Graeme Kane**  
Interim Executive Director of Place & Economy

## NOTES:

1. In reaching this decision the Council has implemented the requirement in the National Planning Policy Framework to deliver sustainable development in a proactive and positive way in accordance with paragraph 38.
2. A full report is available at:
  - <https://www.kettering.gov.uk/planningapplication/search>

## PURCHASE NOTICES:

If permission is refused, whether by the Local Planning Authority or by the Secretary of State and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by carrying out of any development which has been or would be permitted, he may serve on the Council of the district in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

## RIGHT OF APPEAL:

If you are aggrieved by the decision of the local planning authority to refuse permission, then you can appeal to the Secretary of State under s.78 of the Town and Country Planning Act 1990.

The rules for lodging an appeal are set out in Article 37 of Town & Country Planning (Development Management Procedure) (England) Order 2015. The following is a summary of the rules:

1. If you wish to appeal against this decision you must do so on the relevant appeal form. Appeals may be made online at <https://www.gov.uk/appeal-householder-planning-decision> . If you are unable to use the online service, please contact the Planning Inspectorate's Customer Services Team on 0303 444 5000.
2. Completed appeals (forms and supporting documents set out in the appeal form) must be received by the Planning Inspectorate within the relevant time scale set out in the table below. The Secretary of State has the power to allow a longer period for you to give notice of an appeal but will not normally exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Appeal Type	Time Period
Householder/minor commercial appeal with no enforcement action taken or pending	12 weeks from date of this decision notice
Householder/minor commercial appeal where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"><li>• within two years before the date of the planning application, or</li><li>• before the date of this planning decision and still in force.</li></ul>	28 days from date of this decision notice
Householder/minor commercial appeal where enforcement notice served in respect of substantially the same development: <ul style="list-style-type: none"><li>• on or after the date of this planning decision, and</li><li>• is still in force.</li></ul>	The <b>earlier</b> of the following dates: <ul style="list-style-type: none"><li>• 28 days from date enforcement notice is served, or</li><li>• 12 weeks from date of this decision notice</li></ul>

These time scales are in relation to the appeal against the planning decision.

**The time scales for appeals against the enforcement notice (as set out in the enforcement notice) are not affected by this decision.**

3. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
4. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate

([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)