
Appeal Decision

Site visit made on 3 April 2017

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 April 2017

Appeal Ref: APP/E2001/D/17/3169475

The Lodge, Kidd Lane, Welton HU15 1PH

- 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 Paul Nicholson against the decision of East Riding of Yorkshire Council.
 - The application Ref: DC/16/02861/PLF/WESTES PP-05427264, dated 24 August 2016, was refused by notice dated 14 December 2016.
 - The development proposed is a two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. Having regard to the statutory duty set out in s.72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, the main issue in this case is whether or not the proposed development would preserve or enhance the character or appearance of the Welton Conservation Area.

Reasons

3. The Conservation Area Appraisal explains that the special character and appearance of Welton Conservation Area has been created by the disposition of the buildings in its historic core so that they focus on the Church. Around this core the village has a significant number of listed buildings. Often generous curtilages enhance the spacious feeling as do the trees and greenery. There is also a pleasant balance between its predominant Georgian and Victorian architectural styles.
 4. In terms of the area around the appeal site, the Conservation Area Appraisal sets out that Kidd Lane represents the most dramatic and characterful entrance into the village, *'plunging the traveller from open countryside into the heart of the village within only a couple of hundred yards'*. It notes that this approach has been, regrettably, eroded in recent years by close boarded fences.
 5. The Conservation Area Appraisal specifically identifies unlisted buildings of particular significance. This is only a short list (four buildings are identified) and includes the appeal property, The Lodge.
 6. The Lodge is a building which has been significantly extended. However, its original form can still be identified despite the works of extension.
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7. At present The Lodge has one modern wing, creating an almost L shaped plan form. The appeal proposal would add a further wing to the opposite side of the historic core of the property. The ridge, despite a slight offset, would almost appear to run through the original building. The consequence would be a long dominating ridgeline, parallel with the road, and large building mass that would overwhelm the modest original Lodge building. It would also detract from the original roof form which sweeps low to the ground reinforcing the building's subservience to the main house beyond.
8. Whilst some attention has been paid to detailing, this does not overcome the fundamental harm that would arise from the siting, massing and size of the proposed extension. This harm would alter the character and appearance of this important but unlisted building within the designated heritage asset which is the Welton Conservation Area.
9. The harm to the building would be clearly seen in public views at an important entrance to the Conservation Area and would be detrimental to the streetscene. I therefore find that the proposal would neither preserve nor enhance the character or appearance of the Welton Conservation Area but would harm it. As such, I find that there would also be conflict with policies ENV1 and ENV3 of the East Riding Local Plan 2012-2029 Strategy Document (2016) which, taken together, require that all development should be of high quality and respect the character and appearance of the area. In particular Policy ENV3 requires that the significance, setting, character, appearance and context of non-designated and designated heritage assets should be conserved. This includes Conservation Areas and important unlisted buildings. It explains that where harm is identified permission will only be granted where the public benefits of the proposal outweigh the harms.
10. The National Planning Policy Framework (the Framework) advises that significance can be harmed through alteration of an asset and that as heritage assets are irreplaceable any harm or loss should require clear and convincing justification. It goes on to explain that where a development would lead to less than substantial harm, as would be the case here, this harm should be weighed against the public benefits of the proposal.
11. In this case the benefits would be largely private ones, though a little weight should be attached to improvement of the housing stock by virtue of extending the building. Nonetheless, that benefit is not sufficient to outweigh the harm that I have identified. As such, the scheme does not find support from either Policy ENV3 or the Framework.
12. On this main issue the harm is so compelling that I conclude that the appeal should be dismissed.
13. Having come firmly to that conclusion, I am mindful of my statutory duty under s.66 whereby, in considering whether to grant planning permission for development which affects a listed building or its setting, I must have regard to the desirability of preserving the building or its setting. In this case the historic building of concern is Welton Hall, a substantial grade II Listed Building. The key historic element of the appeal building is located on the corner of the site formed by Kidd Lane and a driveway towards Welton Hall. The Lodge is related to the Hall because of its juxtaposition and because of its role as a subservient building. The appeal scheme, because of its size and position, would both reduce the subservience of The Lodge and impinge on views towards the Hall.

In undertaking my statutory duty I conclude that the proposal would neither preserve nor enhance the setting of Welton Hall rather it would cause harm.

14. Thus, for the reasons set out above in respect of the main issue, and having had regard to all other matters raised, I conclude that the appeal should fail.

Zoë Hill

Inspector