



Appeal Decision

Site visit made on 17 November 2020

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th November 2020

Appeal Ref: APP/D2510/D/20/3256643

Grove House, 54 Westgate, Louth, Lincolnshire LN11 9YD

- 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 Dr Donal Staunton against the decision of East Lindsey District Council.
 - The application Ref N/105/00512/20, dated 16 March 2020, was refused by notice dated 8 July 2020.
 - The development proposed is 'erection of access gates to a maximum height of 1.97 metres (works completed).'
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Decision

1. The appeal is allowed and planning permission is granted for the erection of access gates to a maximum height of 1.97 metres at Grove House, 54 Westgate, Louth, Lincolnshire LN11 9YD in accordance with the terms of the application, Ref N/105/00512/20, dated 16 March 2020 subject to the following condition:
 1. The development hereby permitted shall be carried out in accordance with the following approved plans: 1283/02 Block Plan and 1283/03 Gateway and Gates and in accordance with the details set out in the Design and Access Statement dated 5 May 2020.

Procedural Matter

2. At my site visit I was able to see that the gates have been installed and painted. The appeal proposal is therefore retrospective and I have assessed it on that basis.
3. The description of the development in the banner heading above is taken from the Council's refusal notice since it provides a more succinct description of the appeal scheme than the application form. I have removed the words 'works completed' in my formal decision above since that is not a form of development.

Main Issue

4. The main issue in this case is whether the gates preserve or enhance the character or appearance of the Louth Conservation Area and the effect on the special architectural and historic interest and setting of Grove House and the setting of adjoining listed buildings.

Reasons

5. The appeal property is located on the south side of Westgate and within the Louth Conservation Area. I have not been provided with further details of the significance of the Conservation Area as a designated heritage asset. However, I was able to see at my site visit that Westgate is one of the principal routes within the town and development along the road comprises handsome historic properties, some positioned at the back edge of the pavement and some within larger grounds, creating a varied street scene. The focal point of development along Westgate and visible from the appeal site frontage is St James Church, a Grade 1 listed building. Grove House is part of a listed group which includes Nos 44 – 66 (even) and Nos 82 and 84.
6. Grove House is an 'L' shaped dwelling with its principal elevation at right angles to Westgate, facing towards its large garden to the east. The road frontage is enclosed by a low red brick wall with an established laurel hedge behind. The pedestrian and vehicular entrance is set away from the dwelling and framed by substantial brick piers approximately 2.5 metres in height with stone plinths and flat coping stones on top.
7. In the exercise of planning functions, the statutory test in relation to Conservation Areas is that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Section 66(1) of the Act also requires me to have special regard to the desirability of preserving the setting of listed buildings or any features of special architectural or historic interest which they possess. Paragraph 193 of the National Planning Policy Framework (the Framework) advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
8. The gates are constructed from vertical timber boards and hung from timber posts fitted inside the recess on each pier. As such, the timber posts are unobtrusive and do not detract from the form or appearance of the brick piers. The gates have a curved top and have been painted in a dark, recessive colour. Due to the separation distance from Grove House and their understated and unobtrusive appearance, the gates do not have a harmful effect on the features of Grove House that are of special architectural and historic interest.
9. The wider setting of Grove House comprises its large garden and adjoining listed properties to either side. However, due to the length and natural appearance of the hedge, the frontage of Grove House does have a somewhat different character and appearance compared with other dwellings along the road. Due to their simplicity and position behind the brick piers, the gates do not look out of character or incongruous in that context. From wider vantage points they are seen in conjunction with Westgate House opposite and the listed properties to either side, but do not impinge on or harm their setting.
10. Similarly, when viewed from wider public vantage points within the Conservation Area further to the north-east along Westgate they are not prominent or noticeable in the street scene and do not harm the character and appearance that contributes to the significance of the Conservation Area as a designated heritage asset.

11. The statutory test requires me to consider the effect on the character and appearance of the Conservation Area and any listed buildings and I have assessed the impact of the gates in relation to the specific circumstances of the appeal site. Whilst I was able to see the other examples of timber gates on Westgate at my site visit, they have not been determinative in my decision.
12. I note that historically the front boundary of the appeal property would have been enclosed with cast iron railings and gates, similar to the neighbouring property at No 56. However, that is not proposed as part of the appeal scheme before me which I have assessed in relation to the details of the scheme, the circumstances of the site and the effect on the Conservation Area and listed buildings.
13. I therefore conclude that the gates preserve the character and appearance of the Louth Conservation Area and the special architectural and historic interest and setting of Grove House and the setting of adjoining listed buildings. Accordingly, I find no conflict with Strategic Policy 11 of the East Lindsey Local Plan which aims to ensure that proposals preserve or enhance the special character, appearance and setting of the District's Conservation Areas and have particular regard to the special architectural or historic interest and setting of listed buildings. The appeal scheme would also accord with the provisions of the Framework in relation to designated heritage assets.
14. For the reasons outlined above and having had regard to all of the other matters raised, I conclude that the appeal should be allowed.

Sarah Housden

INSPECTOR