
Appeal Decisions

Site visit made on 10 November 2020

by Elaine Worthington BA (Hons) MTP MUED MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09/12/2020

Appeal A: APP/E2530/W/20/3251682

24 St Leonards Street, Stamford, Lincolnshire, PE9 2HL

- 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 Mr Alex Way against the decision of South Kesteven District Council.
 - The application Ref S20/0086, dated 27 January 2020, was refused by notice dated 23 March 2020.
 - The development proposed is described as 'proposed extension and alterations to dwelling'.
-

Appeal B: APP/E2530/Y/20/3251686

24 St Leonards Street, Stamford, Lincolnshire, PE9 2HL

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Alex Way against the decision of South Kesteven District Council.
 - The application Ref S20/0155, dated 27 January 2020, was refused by notice dated 23 March 2020.
 - The works proposed are described as 'proposed extension and alterations to dwelling'.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Procedural Matter

3. Since the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issues

4. The main issues are whether the proposal would preserve a grade II listed building, 22-24 St Leonard's Street (Ref: 1360422) and any of the features of special architectural or historic interest that it possesses; and whether it would preserve or enhance the character or appearance of the Stamford Conservation Area.
-

Reasons

5. The appeal property is a mid-terrace single storey cottage with habitable roof space and forms part of a single listed building entry which includes Nos 22, 23 and 24. These late seventeenth century/early eighteenth century properties make up a short row on the north side of St Leonard's Street and are built in coursed rubble under a stone slate roof with pairs of dormer windows to the front.
6. The appeal property and neighbouring No 23 both have single storey rear lean-to extensions. No 22 has a two storey rear gable ended extension with a single storey lean-to element beyond. Despite these later additions, the appeal property and its neighbours in the group for the most part retain a relatively modest built form incorporating uncomplicated detailing and traditional materials. In particular the historic form of the cottages is still legible to the rear of the appeal property and No 23 where the simple rear roof planes remain unaltered.
7. Given the above, I find the special interest of the listed property, insofar as it relates to these appeals, to comprise its modest scale and proportions as well as its distinctive historic features.
8. The appeal property is also within the Stamford Conservation Area which covers much of the central area of the town. Its historic and architectural significance is derived from Stamford's long history as a settlement and role as a market town. It displays a wide range of fine architecture and in particular a well preserved high density medieval core which is characterised by an irregular street pattern.
9. There is some variety in building style and scale in St Leonard's Street where the run of cottages at Nos 22 to 24 are an attractive component of the street. They are surviving examples of the small scale vernacular stone cottages typical of the medieval core of the town where such modest functional housing was provided to meet the increased population arising from Stamford's economic prosperity in the seventeenth and eighteenth centuries. As such, they contribute positively to the character and appearance of the conservation area and its significance as a heritage asset in relation to these appeals.
10. The proposal includes the removal of most of the existing single storey rear lean-to rear extension at the appeal property and the erection of a two storey extension with a single storey lean-to element beyond. I appreciate that the proposal before me has been worked up in response to a similar scheme that was dismissed at appeal¹ in 2019 and has been reduced in scale. I also note the efforts made to reflect the existing extension at No 22 and to address the comments made by the previous Inspector.
11. Nevertheless, the proposed extension would be large. It would project some distance from the rear of the cottage at two storey level beyond the extent of the existing lean-to extensions at the appeal property and neighbouring No 23, before dropping to single storey height in its final section. I accept that the proposed two storey element would broadly align with the rear extent of the existing two storey extension at No 22. That said, I am not aware of the circumstances that led to that development which appears to have been in

¹ APP/E2530/W/19/3222691 and APP/E2530/Y/19/3222688

place for some time. Whilst I accept that it has altered the rear of No 22 and provides part of the context in which the appeal property is experienced, it nevertheless creates an intrusive element that has eroded the simple, historic vernacular form of the wider terrace. As such, I am not convinced that it is development that should necessarily be repeated.

12. The roof design of the appeal scheme omits the previously proposed flat roof plateau and hipped detail. However, the two storey element proposed in this appeal would be built to the ridge height of the host dwelling. Whilst this is intended to match the situation at No 22, in this instance the full height extension with its pitched roof and new gable end feature would be positioned centrally on the rear of the property. Given its considerable rearward projection it would be greater in depth than the main part of the historic cottage. Despite being set in from the property's flank boundaries it would also cover much of its width and obscure a good deal of its rear elevation and rear roof plane. As a consequence, it would be a tall and bulky extension that would be an incongruent addition. It would further erode the scale and simplicity of the historic building and conceal part of the remaining extent of its historic fabric.
13. The further lean-to extension proposed beyond the two storey element is in itself relatively small in size and set in from the edge of the two storey element. Nevertheless, it adds further to the overall scale of the proposal which as a whole would add considerably to the floorspace of the small dwelling that would have historically been much smaller and compartmentalised.
14. The appellant refers to existing two storey rearward projections at neighbouring No 25 and the properties beyond. However, No 25 forms part of a row of much taller more substantial properties to the east of the appeal site and sits within a different architectural and historical context. As such, I am not persuaded that this nearby development establishes an acceptable rear building line for the appeal site as suggested, or sets a precedent that should necessarily be followed there.
15. The extension would have three glazed doors at ground floor level with a window above at first floor and two roof lights in the lean-to roof of the single storey element. Three rooflights would also be provided in the eastern side roof of the extension and one on the western side. Additionally, two ground floor windows and two roof lights would be inserted in the retained flanking sections of the existing lean-to element of the property (to each side of the proposed extension) the roof pitch of which would be increased. Two roof lights would also be introduced to the main roof of the house. Even though the appellant indicates that this represents a simplification in relation to the previous scheme, in my view the proliferation of fenestration and glazing that would result would appear as unduly modern and incongruent features that would wholly undermine the modest vernacular form of the cottage.
16. Taking all these factors into account, despite the existing extensions to the row and the rearward projections of the properties to the east, I consider that the proposal would be an unacceptably large and dominant addition. This would be so despite the generous size of the plot. Its overwhelming scale and intrusive design would result in an incongruous addition that would conflict with the simple architectural form of the listed building. Its massing and detail would undermine the simple rectilinear form of the low status vernacular building and

as a consequence would erode its historic legibility and fail to preserve its special interest. That the Conservation Officer may have recommended some of the elements of the scheme does not alter my view. Nor does the fact that the rear of the building is not widely visible affect my conclusions. Listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.

17. Turning to its effect on the conservation area, I acknowledge that the proposal would be to the rear of the building and would have no impact on its front elevation. However, as set out above, I have found that the building contributes to the character and appearance of the conservation area. Whilst the proposal would not be visible from public vantage points, it would nevertheless be appreciated from nearby properties. I therefore consider that it would cause some harm to the significance of the conservation area and would fail to preserve its character and appearance.
18. I therefore conclude on the main issues that the proposal would fail to preserve the special interest of the listed building and the significance of the conservation area. I give this harm considerable importance and weight in the balance of these appeals.
19. The proposal would be contrary to Policy DE1 of the South Kesteven Local Plan (Local Plan) which seeks to ensure high quality design and requires proposals to make a positive contribution to the local distinctiveness, vernacular and character of the area and to be of an appropriate scale, density, massing, height and material, given the context of the area (a). Additionally, it would be at odds with Local Plan Policy EN6 which seeks to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework (the Framework).
20. The Framework advises at paragraph 193 that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. I consider that the harm in this case, although serious, would be less than substantial in the terms meant by the Framework. Paragraph 196 of the Framework requires that less than substantial harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use.
21. The proposal would replace the existing lean-to extension, use natural materials, and salvage the tiles from the rear to re-roof the front of the building where the dormer windows would also be replaced. Nevertheless, I have seen no evidence to suggest that any such works are necessarily dependent on the appeal scheme, or that the front roof and dormers could not be repaired rather than completely replaced. As such, I give any public benefits arising from these matters very little weight. The proposal would allow level access to the property, give it a more open plan feel and rationalise the existing first floor accommodation. However, these are private benefits only. No other public benefits have been put forward which would outweigh the harm to the designated heritage assets I have identified.
22. For these reasons the proposed development and works would fail to satisfy the requirements of the Act and paragraph 192 of the Framework and would be in conflict with the development plan.

Other Matters

23. The proposal includes some internal alterations. The Historic Buildings Advisor refers to the removal of internal dividing partitions and a staircase, but provides no further consideration of these matters. The appellant also refers to a revised staircase position. However, I have seen no further evidence relating to these internal alterations which do not form part of the Council's reasons for refusal. This being so, and since I am dismissing the appeal in relation to the main issues, I have not considered this matter further.
24. The Council raises no objections to the proposal in terms of its impact on the living conditions of nearby occupiers. The absence of harm in this regard counts neither for, nor against the proposal. Although there is support for the proposal from the Stamford Civic Society, this does not alter my conclusions on the main issues and is not a reason to allow development that I have found to be harmful.
25. Whilst I note the appellant's dissatisfaction with the conflicting advice he has received from the Council, that is a matter between the appellant and the Council. I confirm that I have determined the appeals on their own planning merits and made my own assessment as to their impact.

Conclusion

26. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be dismissed.

Elaine Worthington

INSPECTOR