
Appeal Decision

Site visit made on 18 August 2020

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 January 2021

Appeal Ref: APP/E2530/W/20/3250315

Land adjacent 1 Harrowby Mill Lane, Grantham, Lincs NG31 9EP

- 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 D Balderson, Manthorpe Construction against the decision of South Kesteven District Council.
 - The application Ref S19/1503, dated 16 August 2019, was refused by notice dated 15 November 2019.
 - The development proposed is the erection of a bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The new South Kesteven District Council Local Plan 2011 – 2036 was adopted in January 2020. This supersedes the previous policies of the Core Strategy and the Council have provided me with Policies EN1, EN6 and DE1. I have therefore considered the appeal against the new relevant policies.

Main Issues

3. The main issues are the effect of the development on:
 - the setting of the nearby Grade II Listed Building; and
 - the character and appearance of the area.

Reasons

Listed Building

4. The appeal site is located on Harrowby Mill Lane, which is a narrow access road. The site is within an area of residential development. To the rear of the site is a Grade II Listed Building and beyond this is the River Witham and the Queen Elizabeth Park, a large area of grassed public open space. The proposed development would introduce a new dwelling into the site. The proposed dwelling would be single storey and provide two bedrooms. A new dwelling has been constructed to the rear of the appeal site.
5. Harrowby Mill House is the Grade II Listed Building and is visible from partway along Harrowby Mill Lane. The property appears to have been modernised and altered from its original 18th Century construction, however it remains a

positive historic building and provides a focal point at the end of the lane. The land levels drop gradually towards the property and its positioning means that it is not wholly visible from along all parts of the lane. Nevertheless, its quality and contribution to the area is apparent on its approach.

6. I accept that the Listed Building is appreciated best in close proximity and that from the far end of the lane the building is not visible until the roof comes into view. However, on approaching the end of the lane the appeal site is clearly visible within the context of the Listed Building. The proposed siting of the dwelling would see it located close to the front boundary of the site and in a reasonably visible location. I find that, although subservient to the Listed Building, the proposed dwelling would be viewed in the foreground of Harrowby Mill House and as a result of its appearance, design and siting it would detract from the setting of this property.
7. I note the recently constructed dwelling adjacent to the appeal site and its proximity to the Listed Building. However, the proposed dwelling occupies a more prominent location in terms of the setting of the Listed Building and as such would have a different relationship with the Listed Building from the public realm than the newly constructed property. Therefore, the new dwelling does not set a precedent for this proposal.
8. I have had regard to the appeal decision in relation to the garage building for No 1 Harrowby Mill Lane. However, I note that this largely considered the impacts of the building from the river and footpath. Reference is also made to the barn-type design which appears to be a mitigating factor to a degree, as well as the distance and views. I have do not have the full information before me in relation to this, however it appears to me that this is not wholly comparable to the scheme before me which is for a dwelling, of a different design and is in a much more prominent location as opposed to a low key, subservient outbuilding of a barn-type design. As such, this does not set a precedent for the appeal proposal.
9. The Listed Building had a recent permission for an outbuilding which is visible within the context of the property. However, although more modern, this is a domestic outbuilding and is not therefore sufficiently comparable to the proposed development. I also have limited information as to the considerations which led to the approval of this building.
10. The Council raised concerns over the level of detail contained within the submitted Heritage Impact Statement contained within the Design and Access Statement. I acknowledge the Appellant's view that additional information could have been requested but was not. However, paragraph 189 of the National Planning Policy Framework (2019) (the Framework) does require a statement proportionate to the asset's importance and identifies the minimum requirements for such a document. The submitted Statement provides very limited information in relation to the Listed Building and its setting and therefore I agree with the Council that the requirements of the Framework were not met in this regard.
11. Consequently, as a result of the location of the appeal site and the prominent positioning of the proposed dwelling, the development would result in harm to the setting of the nearby Grade II Listed Building, Harrowby Mill House. I find that this harm would be less than substantial. However, paragraph 196 of the Framework states that where a development proposal will lead to less than

substantial harm, this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this instance, I have been presented with little in terms of public benefits that would outweigh this harm.

12. For this reason, the proposed development would fail to comply with Policies EN1 and EN6 of the South Kesteven District Council Local Plan 2011 – 2036 (2020) (Local Plan). These seek to ensure that development is appropriate to significant historical attributes and protects and enhances heritage assets and their settings, and seek to only grant permission where harm will be caused where the public benefits of the proposal outweigh this, amongst other things. It would also fail to comply with the aims of Section 16 of the Framework in this regard.

Character and Appearance

13. The area surrounding the appeal site is predominantly residential in nature with large estates present. Adjacent to the appeal site is the large Listed Building, Harrowby Mill House, the newly constructed property to the rear, No 1, and a detached property towards the river.
14. The proposed dwelling would occupy a smaller plot than the surrounding properties on the lane. Whilst the properties on Belton Lane which back onto the appeal site are of a higher density, these have long, narrow rear gardens. There are limited examples of more modest plots which reflect the appeal site in the immediate surroundings.
15. There are examples of other back land plots in the surroundings, including the properties on Harrowby Mill Lane, and the proposal is consistent with the form of development in the area in this instance. I also acknowledge that in terms of actual site coverage the proposed dwelling would be similar to its surroundings. However, this does not overcome the concerns in terms of the smaller plot size which is not in keeping with the character of the area.
16. I therefore conclude that the proposal would result in a form of development which would be out of keeping with, and harmful to, the character and appearance of the area. It would therefore fail to comply with Policy DE1 of the Local Plan which seeks to ensure that development makes a positive contribution to the character of the area and reinforce local identity, amongst other things.

Other Matters

17. Objections have been received from local residents concerning, in addition to the above matters, highway safety and access concerns. However, it is not necessary for me to conclude on these matters as they would not alter the above findings.

Conclusion

18. For the reasons given above, and having had regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR