



Appeal Decision

Site visit made on 1 September 2020

by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th January 2021

Appeal Ref: APP/M2515/Y/20/3252436

4 Lindum Terrace, Lincoln LN2 5RP

- 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 & Mrs Bell against the decision of Lincoln City Council.
 - The application Ref: 2020/0229/LBC, dated 3 April 2020, was refused by notice dated 28 April 2020.
 - The works proposed are described as: Conversion of small bedroom into dressing room and shower room - new doorway in internal wall. Re-opening of existing doorway between rooms. Hole through rear external wall for drainage and new soil and vent pipe on rear external wall.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed works on the special interest of number 4 Lindum Terrace, a Grade II Listed Building.

Reasons

3. Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) states that in considering whether to grant listed building consent for any works, the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Paragraph 193 of the National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.
4. The appeal building is one half of a pair of three storey, semi-detached, houses built in approximately 1860. Both houses are Listed Grade II. The proposed works primarily affect the interior of the building through the installation of a partition wall within an existing bedroom (referred to as bedroom 3 on the submitted plans), creation of a new opening within the wall of this room to provide access from the room identified on the plans as bedroom 1, and re-opening an existing doorway between bedroom 1 and the existing bathroom of the house. A new shower room would be created within the partitioned off section of bedroom 3, accessed from the original doorway to the room, and the original bathroom of the house would become an ensuite bathroom for

- bedroom 1. A new soil vent pipe would also be installed on the rear wall of the house.
5. I saw when I visited the site that the new doorway opening to bedroom 3 had been formed and that the doorway to the existing bathroom had also been created. I have noted that Listed Building Consent has previously been granted for converting bedroom 3 to an ensuite bathroom, which also included creating a new opening between this room and bedroom 1 and the installation of a new soil vent pipe.
 6. Whilst the List description states that the interior of the building was not inspected at the time it was listed, the interior of the building is, nonetheless, covered by the listing.
 7. From the evidence submitted by the parties and from what I saw during my site visit, the significance of the building, in so far as it relates to this appeal, is that it is characteristic of a house of the time built for the business and professional classes, and which retains much of its original floorplan. It also has historic interest as an example of a substantial suburban house built at a time when the city of Lincoln was growing on the strength of the arrival of the railway and of a developing industrial base.
 8. The proposed works would result in bedroom 3 being subdivided by a partition wall taken from one side of the current, centrally placed, chimney breast in the room and running to the opposite wall. The fireplace in the chimney breast has been removed and the opening blocked, and there is no hearth, fire surround, or mantelpiece present. The room has a timber picture rail and relatively simple, moulded, plaster cornice. It is stated that all materials to be used for doors, skirtings, and architraves would match these existing features of the room.
 9. The proposed works would retain all the original doorway openings to rooms accessed from the first floor landing. However, the subdivision of bedroom 3 and the creation of new doorway openings from bedroom 1 would disrupt the original floorplan of the house and create, effectively, a sequence of rooms accessed via bedroom 1, in place of the original arrangement of individual rooms accessed from the central core and stairwell of the building. This would diminish the legibility of the first floor plan of the house and the ability to understand the original functions and use of the rooms.
 10. This would be exacerbated by the visual effect of the new partition wall which would truncate the proportions of bedroom 3, losing the visual symmetry resulting from the centrally placed chimney breast. I accept that the fireplace and fire surround have been lost from the chimney breast and that this has diminished its visual role. However, this does not of itself justify works which would further alter the proportions of the room and the visual contribution of the chimney breast in this.
 11. The appellant suggests that all three faces of the chimney breast would remain visible, albeit in different rooms. However, as one side of the chimney breast would be flush with the new partition wall within the proposed new shower room and it is not clear how the walls within this room are to be finished, I do not find the appellant's argument that the floor plan and original room functions would be remain legible and readily understandable a compelling one.

12. It is also unclear from the evidence whether elements such as the picture rail and plaster cornice would be continued on the new partition wall. If this was not the case, then the visual integrity of the room would be further undermined.
13. Although small in scale, the proposed works would result in the loss of part of the significance of the building that is derived from the floorplan and is illustrative of the use and function of the dwelling as the residence of a prosperous citizen. I recognise that the building does have a broader significance that includes its external appearance, which is illustrative of the architectural style and building techniques of the time, and the contribution that the building makes to the character and appearance of the Lindum & Arboretum Conservation Area. Whilst the internal works would not affect these latter aspects, they would, nonetheless, as set out above be harmful to other aspects the significance of the building.
14. Any harm to, or loss of, the significance of a designated heritage asset requires clear and convincing justification. Although the works may potentially be reversible, there is no evidence before me that would indicate that they are only required for a limited period of time, or that it is intended that they would be anything other than a permanent alteration to the building. It is common ground between the parties that the proposed works would result in less than substantial harm to the significance of the listed building. From what I have read and from what I saw during my site visit, I would agree that the harm that would be caused would be less than substantial.
15. I note that the Council have not raised any objections to the addition of a new soil vent pipe to the rear of the building, and that an essentially similar proposal was approved as part of the previous Listed Building Consent. From what I saw when I visited the site, I would agree that this element of the proposed works would have a neutral effect on the listed building. However, this does not overcome the less than substantial harm that would be caused by the other works.
16. Paragraph 196 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
17. In terms of public benefits, the appellant cites sustaining the use of 4 Lindum Terrace as a private family house, through the provision of a separate shower room for visitors to the house and the provision of a dressing room being an important objective of the current proposal, as a public benefit. The continuing use and maintenance of a listed building, particularly for the use for which it was originally designed, is capable of being a public benefit. However, there is no evidence before me which would indicate that if the works were not to proceed, the building could no longer be used as a family dwelling or would be at risk of not being used as such. There is also no evidence that would indicate that the lack of a separate dressing room would prejudice the long term use of the building as a dwelling house.
18. I am also mindful that listed building consent has been previously granted for the conversion of bedroom 3 to an ensuite bathroom and that these works would also allow for the retention of the existing bathroom for use by visitors.

19. Nonetheless, the above points do weigh moderately in favour of the works. The Framework requires that great weight be given to the conservation of designated heritage assets, in this case the listed building, irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to their significance. I have found that the works would cause less than substantial harm to the listed building. The level of harm is not great, but it is harm nonetheless and must, therefore, be given great weight. The modest public benefits of the proposal would not overcome the harm that would be caused. The Act requires special regard to be given to the desirability of preserving the building and any features of special architectural or historic interest which it possesses and, consequently, the appeal must fail.
20. I therefore conclude that the proposed works would cause harm to the special interest of number 4 Lindum Terrace. They would not comply with the relevant requirements of the Framework or Policy LP25 of the Central Lincolnshire Local Plan 2017, which seeks to ensure that proposed works do not prejudice the special architectural or historic interest of listed buildings.

Other matters

21. The appeal building is within the Lindum and Arboretum Conservation Area. The majority of the proposed works are to the interior of the building and, as such, would not have any effect on the character or appearance of conservation area. The only external manifestation of the works would be the addition of a new soil vent pipe on the rear elevation of the building, which it is indicated would be adjacent to an existing rainwater downcomer. This would not be visible from public areas within the conservation area and whilst it may be visible from private garden areas of adjacent houses, the effect on the overall character and appearance of the conservation area from these viewpoints would be a neutral one.

Conclusion

22. For the above reasons I conclude that the appeal should be dismissed.

John Dowsett

INSPECTOR