The Planning Inspectorate

Appeal Decision

Site visit made on 7 June 2022

by Ms S Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2022

Appeal Ref: APP/E2001/D/21/3289297
The Lodge, Kidd Lane, Welton, Brough, 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 Mr Stephen Richard Underwood against the decision of East Riding of Yorkshire Council.
- The application Ref 21/01773/PLF, dated 8 June 2021, was refused by notice dated 1 November 2021.
- The development proposed the erection of workshop/garage and carport with storage/home office space at first floor.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed building upon the setting of the Grade II Listed Welton Hall and (ii) whether the proposal would preserve or enhance the character or appearance of the Welton Conservation Area.

Reasons

3. The proposed building would be sited within the curtilage of The Lodge which historically served as a gatehouse to the Grade II Listed Welton Hall. The Lodge itself is not a listed building or a designated heritage asset but is described in the Welton Conservation Area Appraisal as an unlisted building of particular significance.

4. Welton Hall dates from around 1770 with late 18th century and late 19th century additions. It is roughcast and colour-washed with stone dressings and graduated slate roofs. It has an original block of 2 storeys. It has a central glazed and panelled door with radial glazing in a round-headed architrave and Ionic doorcase with a fluted frieze with paterae under a pediment. To the right and left of the entrance there are 2-storey canted bays containing 3 sashes with glazing bars and sills to each bay at each level. It has a moulded eaves cornice and a low coped parapet with recessed balustraded panels, chimney stacks and raised coped gables. The significance of the building, in the main, is derived from its age and architectural detailing.

5. The proposed outbuilding would have a slate roof and rendered elevations to match The Lodge. I appreciate that the rear of Welton Hall has been altered and that the property has been subdivided into three plots which has affected its original layout. However, at present, part of the roof of Welton Hall and

several chimney stacks and pots can be seen from the garden and the drive of the appeal site, including in views along the drive from Kidd Lane.

6. I appreciate that there is some existing screening from trees, vegetation and fencing on the boundary between the two properties. However, the one and a half storey height of the proposed outbuilding would result in the visibility of Welton Hall being further obscured than it is already. Therefore, the proposal would result in a diminution of the visible link between the listed building and its former lodge.

7. Furthermore, the proposed outbuilding would be sited at the end of the drive to The Lodge which was a historic rear access to Welton Hall. Whilst I recognise that the driveway was altered in the 20th century and that an area to the rear of the hall has been covered in hardstanding, the proposed outbuilding would further intrude upon the historic plan and relationship between the two buildings. I note the appellant's comments that the carport element of the proposed building would give an impression that one could continue along the drive towards the Hall. However, I disagree because the carport would be visually and physically intrusive upon the former rear access route, particularly because of the pitched roof structure over it.

8. In addition, the outbuilding would be sited very close to The Lodge and would be marginally taller than it. The Lodge has already been extended and the proposed building, together with the existing extension would result in the original fabric of The Lodge being visually hemmed into a restricted plot. This would be contrary to the historic layout of the estate and detract from the original humble form of The Lodge, harming the historic significance of the Lodge itself.

9. For the reasons above, the proposed outbuilding would undermine the important relationship between Welton Hall and its lodge. Therefore, it would have an adverse effect upon the setting of the Listed Building that would be harmful to its overall significance as a designated heritage asset. I consider the harm caused to its significance would be less than substantial in the language of the National Planning Policy Framework and about halfway along the scale of less than substantial harm. This harmful impact is a matter of considerable importance and weight.

10. The appeal site is within the Welton Conservation Area (CA). The special character of the CA is formed by its grouping of buildings around the church which appears as an island due to a stream flowing alongside it. There are numerous listed buildings in the village, many of which are close to the church, including Welton Hall. Georgian and Victorian buildings are predominant. Generous curtilages around buildings, open spaces, trees and greenery give a spacious, mature landscape character.

11. As I have found harm to the Listed Building, which is characteristic of the special character of the CA, and to The Lodge itself, I also find that the proposal would fail to preserve or enhance the CA. I consider that the harm to the significance of the CA to be less than substantial and about halfway along the scale of less than substantial harm.

12. Paragraph 199 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. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

13. The Framework advises that less than substantial harm must be weighed against the public benefits of the scheme. The appellant asserts that the proposal would tidy up unattractive views of an underutilised curtilage area. However, I do not consider the site to be untidy, unattractive or underutilised, especially as there is a garden room and shed, both of reasonable appearance, on the site of the proposed building. Consequently, I find that there are no public benefits to outweigh the less than substantial harm to both assets.

14. I conclude that the proposal would harm the significance of the listed building and the conservation area. Therefore, it would conflict with Policies ENV1 and ENV3 of the East Riding Local Plan Strategy Document 2012-2029 which, in combination, seek to ensure high quality design and to conserve heritage assets.

Conclusion

15. I dismiss the appeal.

Ms S Watson

INSPECTOR