



Appeal Decision

Site visit made on 2 August 2022

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 12 August 2022

Appeal Ref: APP/E2530/W/22/3290445

Manor House, Low Road, Manthorpe NG31 8NQ

- 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 Adrian Charity against the decision of South Kesteven District Council.
 - The application Ref S21/1758, dated 2 September 2021, was refused by notice dated 29 October 2021.
 - The development proposed is a green oak framed garage with home gym above.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character or appearance of the Manthorpe Conservation Area and on the settings of nearby Listed Buildings.

Reasons

3. The appeal site lies within an extensive lawned area to the front of Manor House. It is a distinctive, former estate farmhouse which is set well back from High Road (A607) and to its rear is a range of traditional former farm buildings grouped around a farmyard. Manor House is a Grade II Listed Building. Several other Listed Buildings are in the immediate vicinity of the appeal site, and these include The Old School, at the junction of High Road and Low Road, the pump house fronting Low Road sitting almost in line with Manor House, and St John's Church on the opposite side of High Road. The appeal site also lies within the Manthorpe Conservation Area which is characterised by a diversity of ornately designed estate properties, unique in character and identity.
4. The Conservation Area Character Appraisal identifies the appeal site as part of a significant open space feature within the Conservation Area. St John's Church and the pump house are identified as landmark buildings. The appraisal notes that Manor House is a substantial termination point in the view northwards along Low Road and I note that from here there is a characterful view up the tree-lined road towards High Road and across the appeal site to the church. The lawned area in front of Manor House provides an open setting to appreciate the building and its surrounding context and reflects its status.
5. In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving or enhancing the Listed Buildings or their

settings or any features of special architectural or historic interest. I have also had regard to the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the area.

6. The National Planning Policy Framework 2021 (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 199 of the Framework states 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Paragraph 202 of the Framework confirms that where a development proposal would 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.
7. The appeal scheme would comprise the erection of a green oak framed detached garage with rooms above, located near to the boundary with High Road. It would incorporate an open terrace to the eastern front elevation and be constructed in larch feather edged boarding with cedar shingle roofing. Although there is no site plan showing landscaping and access around the proposed structure, the access is described as being from the existing gated driveway on Low Road.
8. The appeal proposal would be an isolated building standing away from other structures and remote from the Manor House and the farmstead group. Whilst I recognise that the siting would benefit from roadside screening, and it would be set slightly below street level, it would not relate well to the existing group. Furthermore, its design, height and massing would represent a dominant and incongruous structure in this area of high heritage sensitivity and would be out of character with the host building and wider street scene. I recognise that the choice of materials will help soften the appearance of the building in its rural setting but even if the roofing material was changed to red tiles to reflect the prevalent roofing material, and if the ridge height could be lowered and altered in form, this would still be a tall building of a design unrelated to its surroundings and it would be conspicuous.
9. The roadside boundaries and planting along High Road and Low Road would provide some filtering of views of the proposed structure. However, there would still be some glimpsed views from High Road, and from Low Road, there would be more substantial views especially from the gated access and more extensive views from the south eastern end near to the Listed pump house where the lower ground levels would make views of the proposed building much more pronounced and dominant. It would also disrupt views from this area across this significant open space through to St John's Church. In the winter months, there would be less beneficial screening of these views.
10. There would be the opportunity to increase screening which might to some extent help to mitigate visual harm, but this screening would harm the contribution that the site makes to the character and appearance of the Conservation Area and to the setting of nearby Listed Buildings.

11. The setting of a heritage asset is not a fixed concept. Annex 2: Glossary of the Framework confirms that an asset's setting is the surroundings in which it is experienced. It also advises that elements of a setting may make a positive, or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.
12. Whilst the site of the appeal proposal may well fall outside the curtilage of Manor House, curtilage is a legal term describing an area around a building, the boundary of which is defined by matters including past and present ownership and functional association and interdependency. However, the setting of a Listed Building will include, but generally be more extensive than, its curtilage. Therefore, the appeal proposal will impact on the setting of Manor House. Because of its isolated location set within the extensive lawned area, and its form, massing and appearance, that impact would be harmful. Whilst the trees along the drive will filter these views to some extent, the structure will be clearly read between the gaps in the trees and more so in the winter. Furthermore, the appeal proposal would harm the intervisibility between Manor House and St John's Church, as it would be located within this view. Whilst this may be a private view, the contribution that setting makes to the significance does not depend on their being public access.
13. The local styles of garages which are referred to by the appellant are varied in their appearance and in many cases substantial, and some are not screened from the road. However, none of these are representative of the appeal proposal before me with its isolated location and within clear and important site lines of several Listed Buildings.
14. By virtue of its siting, its unacceptable height, massing and appearance, the appeal proposal would be harmful to the character and appearance of the Conservation Area and to the setting of several Listed Buildings. The harm would be less than substantial and should be weighed against any public benefits of the proposal.
15. Planning permission is sought for a garage with home gym to serve the occupants of the dwelling. I note the suggestion that the building could be used for community uses. However, depending on the extent of use and its nature, this is likely to require an additional permission to that currently being sought from the Council to consider the additional impacts this may introduce. Therefore, although it may have the potential to benefit the community, it does not form part of the proposal before me and cannot be considered as a public benefit at this time.
16. Whilst relocating vehicles currently parked next to the Listed Building may improve its immediate setting, it would be unrealistic to assume that in the long term the owner's vehicles would be permanently stored out of site in the garage, when it may well be more convenient to park alongside the house. This therefore would only be a very limited public benefit. Seeking secure garaging and the benefits of a gym and a multi-use space would solely be a private benefit.
17. I must attach considerable importance and weight to the harm which I find, and this would not be outweighed by any public benefits.
18. The proposal would have a harmful effect on the character or appearance of the Manthorpe Conservation Area and on the setting of nearby Listed Buildings.

It would therefore be contrary to Policies EN6 and DE1 of the South Kesteven District Council Local Plan (2020) and Sections 12 & 16 of the Framework. These seek to achieve well-designed places, and to conserve and enhance the significance of heritage assets.

Other Matters

19. The appellant raises concerns over the conduct of the Council during the application process stating that they were not able to discuss changes with the Council. Such concerns should normally be addressed through the Council's own complaints service as these points are not related to the merits of the appeal before me.
20. I have had regard to other matters raised including privacy, lighting and noise. However, as I am dismissing the appeal on the main issue for the reasons given above it has not been necessary to pursue these matters further.
21. I recognise that the Parish Council did not object to the proposal, but this is not in itself a reason to allow the development.

Conclusion

22. I conclude that the proposal would be contrary to the development plan as a whole and material considerations do not lead me to decide otherwise. For these reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G Bayliss

INSPECTOR