



Appeal Decision

Site visit made on 17 May 2022

by R Norman BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 January 2023

Appeal Ref: APP/H0520/Y/21/3284176

Conington House, Gate and Piers, Church Lane, Conington PE7 3QA

- 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 Mark Braid against the decision of Huntingdonshire District Council.
 - The application Ref 20/01768/LBC, dated 13 September 2020, was refused by notice dated 8 June 2021.
 - The works proposed are the reinstatement of original gate piers, railings and gates.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. This appeal relates to the Listed Building application submitted to the Council under reference 20/01768/LBC. The accompanying planning application has not been appealed and therefore my consideration and conclusions are in relation to the Listed Building works only, having regard to the statutory requirements as set out in section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), the relevant provisions within the National Planning Policy Framework 2021 (the Framework) and any relevant policies of the Huntingdonshire Local Plan to 2036 (2017) (the HLP).
3. On the basis of the above, the effect of the proposal on the setting of the adjacent Grade II listed Porter's Lodge is not within the remit of my considerations as that relates to the application for planning permission and the statutory requirements of section 66(1) of the Act.

Main Issue

4. The main issue is whether the proposed works would preserve the Grade II listed building known as Gate piers and railings adjacent to Porter's Lodge.

Reasons

Special Interest and Significance

5. The existing gates, piers and railings are a Grade II Listed Building, known as Gate piers and railings adjacent to Porter's Lodge with the List Entry Number 1309519. The adjacent property, Porter's Lodge is also a Grade II Listed Building, reference 1130148. They are located adjacent to Great North Road

and form part of the wider Conington House site, providing the western entrance. Their position, being only slightly set back from the main road, along with the absence of much other built form in the vicinity, causes them to be highly prominent when viewed from this public route.

6. From the evidence before me, the special interest and significance of the Gate piers and railings adjacent to Porter's Lodge are largely derived from its architectural and historic interests. Its conscious design in traditional materials forming a historic gateway, along with its physical, functional and historic associations with the Porter's Lodge, the former Conington Castle and the wider historic estate and parkland, all make important and positive contributions in these regards.
7. Pertinent to the appeal, I understand that the central gates and railings currently installed are not the original ones, and I note the Appellants' assertion regarding their poor condition. Nevertheless, from the submitted information and my observations on site, whilst fairly modest in form and design they are part of the listed building's historic narrative and therefore contribute in a small but meaningful way to its significance. Moreover, I have limited evidence before me to demonstrate that they are in a poor condition.

Appeal Proposal and Effects

8. The proposed works would involve the removal of the central section of gates and railings which are set between the two central piers. This would result in the loss of, what could reasonably be described as historic fabric resulting from the evolution of the listed building. This would be harmful to the building's significance, albeit to a small degree. These would be replaced with gates and railings which reflect the height of the remaining railings and would also introduce two new stone pillars. These would replicate the existing pillars either side of the existing gates and would include stone finials, piers and plinths.
9. Although the existing central gates and railings are not original they still have a traditional appearance. I have had regard to the single photograph included within the Heritage and Design and Access Statement which gives an approximate date, however it lacks detail about the original design of the gates and the photograph alone does not provide sufficient information about the original gates in order to justify the proposed works.
10. The historic fabric of a listed building is the primary source from which knowledge and meaning can be drawn. Once it has been removed the intrinsic heritage interests and significance of that part of the structure are essentially lost. The reinstatement of the gates and piers to a point in time chosen by the Appellants, without compelling evidence to support their proposed form and design would result in conjectural restoration which would not necessarily be a true indication of that time period. The submitted photograph is not sufficiently detailed or clear to provide robust evidence to support the proposed replacement and it has not been demonstrated that the gates and piers would be historically accurate. This would result in harm to the structure's significance without clear and convincing justification.
11. The Appellants consider that the current central gates and railings are thought to be perhaps only 50 years old, however there is little evidence to demonstrate that this is the case. The Council refer to their replacement being carried out within the war years which, if so, would show the evolution of the

site as a result of a nationally important historic event. However, similarly there is limited evidence of this. Notwithstanding this however, the removal and replacement of the central gates and railings and replacement of the stone piers, which display evidence of historic character, have a significance in its narrative of the evolution of the listed building. Attempting to replicate the original piers and gates would remove the evidence of this and would not be the original elements, therefore appearing as a pastiche of the historical character. This would not carry the same level of significance or historic contribution as the original piers and gates nor those currently in situ.

12. In terms of the level of detail provided, the plans and application documents are lacking in the specifics required, given the significance of the structure and the historic setting in which it is located. I note that the proposed materials would be changed to cast iron and could be conditioned however for a proposal of this significance it cannot be concluded from the plans and documents that the works would be appropriate and the use of conditions would not provide the level of certainty required to conclude that the works would be acceptable. Furthermore, the proposed side hung opening mechanism of the central gate would, in all probability, not be historically correct as it is likely there would have been two gates which would have opened centrally.
13. The Appellants refer to the restoration of the decorative finials which received listed building consent previously based on photographs of the stolen finials. However, I have not been provided with information relating to the level of details in those photos or the full details and considerations taken in relation to this previous application.
14. I note the Appellants' reference to renovation works to the Palace of Westminster and the submitted press release. However, this related to a different location, and I have not got full details of the consideration behind this. As such, I am unable to conclude that this is sufficiently comparable to the scheme before me and therefore does not alter my findings in this case.
15. I am aware that the Appellants are willing to accept a condition requiring that the existing gates are retained elsewhere on the site. However, I question how reasonable or enforceable a condition of this nature would be. In any event, it would not mitigate or justify the identified harm to the listed building's significance.
16. Consequently, I find that the proposed works would not preserve the Grade II listed building known as, Gate piers and railings adjacent to Porter's Lodge and in doing so would harm the significance of this designated heritage asset.

Other Matters

17. A letter of support has been received from Conington Parish Council who consider that the reinstatement of the gates to their original design would be a welcome improvement, more appropriate and sympathetic. However, for the above reasons I find that the proposed works would be harmful.

Planning Balance and Conclusion

18. In accordance with paragraphs 201 and 202 of the Framework, it is for the decision maker, having identified harm to the significance of a designated heritage asset, to consider the magnitude of that harm. In this case, under the terms of the Framework, I consider the harm to be less than substantial given

the extent of the proposal and its consequent effects but nevertheless I give this harm considerable importance and weight in the planning balance. Paragraph 202 advises that this harm must be weighed against the public benefits of the proposal.

19. The Appellants consider that the proposal would deliver public benefits through the reinstatement of the missing gates and the refurbishment of the structure. Furthermore, that it would improve security. However, given my findings above and considerable concerns regarding the authenticity of the reinstatement, I am not convinced that the proposal would amount to public benefits as set out in the Planning Practice Guidance. Moreover, any improved security would be a private benefit and I have little evidence to suggest there is a security risk at present. Whilst the fabrication and installation of the proposed gates and piers would generate some economic benefit that would flow to the public at large, this would be modest and would not be sufficient to outweigh the considerable importance and weight I attach to the identified harm.
20. Consequently the proposed works would not preserve the Grade II listed building known as Gate piers and railings adjacent to Porter's Lodge. This would fail to meet the requirements of section 16(2) of the Act. It would also be contrary to the provisions within the Framework which seek to conserve and enhance the historic environment.
21. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be dismissed.

R Norman

INSPECTOR