



Appeal Decision

Site visit made on 2 February 2023

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2023

Appeal Ref: APP/N3020/W/22/3300091

19 Church Street, Lambley, Nottingham NG4 4QB

- 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 Mrs Julie Gregory against the decision of Gedling Borough Council.
 - The application Ref 2021/0553, dated 3 May 2021, was refused by notice dated 11 March 2022.
 - The development is described as 'retention of the re-roofing of the existing outbuilding in pantiles to match but with some fibreglass'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the appeal form as this is more accurate. As the date on the application form is preceded by the decision date, I have taken the date in the banner heading above from the appeal form.
3. The application is retrospective in that the re-roofing works have already taken place. Nevertheless, I have determined the appeal on the basis of the submitted plans.

Main Issue

4. The main issue is the effect of the development on the special interest of the Grade I listed Holy Trinity Church, including setting, and whether the development would preserve or enhance the character or appearance of the Lambley Conservation Area.

Reasons

5. The appeal site is a traditional brick outbuilding, part of which is clearly identified on the 1880 Ordnance Survey map. The frontage of the building, comprising the bulk of the openings, is accessed via a track serving residential properties to the north. The building has an agricultural character and adjoins The Old Barn, itself a converted threshing barn of the late eighteenth to early nineteenth century. As is characteristic in the area, both buildings comprise of red brick walls with pantile roofs. The appeal building is relatively narrow with a linear but irregular form that is closely aligned with the boundary of the churchyard of Holy Trinity Church, which the two adjoining buildings abut.
6. The Holy Trinity Church is a Grade I listed building that dominates Church Street and can be seen throughout the village and the more outlying

countryside. Part of the lower tower dates from around 1170 with the majority of the church being rebuilt around 1470. The significance/special interest of the church includes the evidential, aesthetic and historic value of a high quality and architecturally important ecclesiastical building that is dominant within its surroundings and that has been altered over time. Section 66 of the Act¹ sets out a general duty to have special regard to the desirability of preserving listed buildings or their settings. This is a matter of considerable importance and weight.

7. When considering the impact of a development on the significance of a designated heritage asset, the National Planning Policy Framework (the Framework) also provides that great weight should be given to the asset's conservation. The setting of a heritage asset is defined as the surroundings in which it is experienced, and its importance therefore lies in what it contributes to the significance of the heritage asset.
8. The appeal building makes an important contribution to the significance of the listed building through its enclosure of the churchyard and the juxtaposition of the small low status buildings next to the high-status church, reflective of the former agricultural economy of the village and the importance of the church in society. The spatial relationship between the church and the appeal building has not altered since 1880 other than the building of an extension of similar form and scale and which reinforces the boundary of the churchyard.
9. Alongside The Old Barn, the appeal building provides a blank elevation of brickwork and pantile to the churchyard, enclosing the churchyard here and limiting views out. This helps to maintain the setting of the Grade I listed Holy Trinity Church, as set out in the Lambley Conservation Area Character Appraisal and Management Plan (2020) (the CAA). These buildings are immediately visible from the main entrance to the church.
10. Lambley is a rural settlement surrounded by open fields. The Lambley Conservation Area (the CA) extends over much of the village including some of the surrounding agricultural land. The small scale and mainly brick and pantile buildings are arranged around the principal roads of Church Street and Main Street, interspersed with extensive areas of green space, including the Pingle, the site of a former Manor House which lies between Main Street and Church Street. The significance of the CA arises from the dominance of traditional brick and pantile, the prevalence of open green spaces, influence of agriculture and the underlying street pattern that is largely dictated by local topography. My conclusions in this regard are reinforced by the CAA.
11. Paragraph 203 of the Framework sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. As a former agricultural building, the appeal building, alongside The Old Barn, reflects the early evolution of the village as an agricultural settlement. On this basis and having regard to the above, I am therefore satisfied that The Old Barn and the appeal building constitute non-designated heritage assets as set out in the Framework.
12. The roof of the appeal building was previously covered with pantiles. The roof covering has been replaced with new clay pantiles. The appellant was advised that sections of the roof that adjoined The Old Barn were unable to take the

¹ Planning (Listed Buildings and Conservation Areas) Act 1990

weight of the new pantiles, hence these areas were covered with fibreglass which has been painted grey to mimic the appearance of lead.

13. The uniformly grey and smooth face of the fibreglass presents a stark contrast with the variations in colour and texture provided by the pantiles, a traditional roofing material that is characteristic of the CA. As such, the fibreglass stands out alongside the pantiles and is readily visible from the entrance of the church and for much of the churchyard. This contributes to an incongruous appearance that disrupts the consistency and simplicity of the buildings enclosing the churchyard, adversely affecting the setting of the Grade I listed building to the detriment of its significance. For the same reasons the development has resulted in harm to the character and appearance of the CA.
14. The fibreglass on the opposing roofslope is seen alongside The Old Barn and contrasts with its pantile roof. This part of the roof is visible in views from Main Street across the Pingle, noted as being of particular importance in the CAA. This has adversely affected the character and appearance of the CA.
15. Whilst I accept that efforts have been made to mimic the appearance of lead, I am not convinced that, historically, lead would have formed such a large part of an agricultural building or outbuilding. I note that lead is not a roofing material that is typical in the CA and, other than lead flashing, there is no lead present on The Old Barn or the outbuilding. To my mind, this contributes to a historically confusing appearance and has resulted in harm to the significance of the non-designated heritage assets.
16. In conclusion, the development fails to preserve the setting of the listed building. The development would also fail to preserve or enhance the character or appearance of the Lambley Conservation Area. Collectively this amounts to less than substantial harm as set out in paragraph 202 of the National Planning Policy Framework.
17. The harmful impact would also be contrary to Policy 11 of the Greater Nottingham Aligned Core Strategies Part 1 (2014) and Policies LPD26 and LPD28 of the Gedling Local Planning Document Part 2 Local Plan (2018) which together seek to conserve heritage assets and safeguard the historic environment and the setting of areas of acknowledged importance. The development also conflicts with paragraph 199 of the Framework insofar as it seeks, amongst other things, to ensure that heritage assets are conserved in a manner appropriate to their significance.
18. Section 66(1) of the Act requires decision makers to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72(1) of the same Act requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the conservation area. I have attached considerable importance and weight to both.
19. Paragraph 202 of the Framework sets out that any harm should be weighed against public benefits. I am not directed to any such benefits that have arisen as a result of the development, although I accept that the works to the roof have helped to maintain the traditional outbuilding. This is a public benefit to which I attribute moderate benefit. However, I am not convinced on the basis of the evidence before me that the re-roofing had to take the form it did. Moreover, notwithstanding the comments in the appellant's statement and the

advice from her roofer, it is not clear that the installation of fibreglass was the only option available. Nevertheless, the aforementioned moderate public benefit would not, when taken together with any other public benefits, outweigh the harm to the setting of the listed building and to the character and appearance of the CA.

Other Matters

20. I accept that there is some local support for the development. However, I would note that local support is not necessarily indicative of a lack of harm.

Conclusion

21. For the reasons given, having considered the development plan as a whole, the requirements of the Act and the Framework, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR