



Appeal Decision

Site visit made on 22 February 2023

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 April 2023

Appeal Ref: APP/D2510/W/22/3307789

31 Northgate, Louth, Lincolnshire LN11 0LT

- 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 Jonathan Appleby against the decision of East Lindsey District Council.
 - The application Ref N/105/00411/22, dated 10 March 2022, was refused by notice dated 27 May 2022.
 - The development proposed is described as 'Change of use of shop and flat to form a single dwelling house. Demolish and rebuild rear extension.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. When I visited the site, some of the exterior works forming part of the proposal, including the reconfiguration of the first-floor window openings, appear to have already been carried out. However, for the avoidance of any doubt I have based my decision on the existing and proposed plans as well as the other supporting information that is before me.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Conservation Area.

Reasons

4. The Louth Conservation Area (the CA) is characterised by a prevalence of eighteenth and nineteenth century buildings set within tightly built up, relatively narrow, streets. These form a relatively dense townscape in the Medieval core of the town with the traditional market place in its centre. Buildings are typically 2 and 3-storey abutting the pavement edge, creating a sense of enclosure.
5. Although buildings predominantly date from the eighteenth and nineteenth centuries, they comprise of varied styles, ages and heights. The juxtaposition of these differing heights, styles and ages contributes to the character of the streetscene. Materials are a unifying characteristic, with buildings typically finished in brick or render. Stone detailing is also present. As set out in the Louth Conservation Area Appraisal (2008) (the CAA), eighteenth century bricks here are small and of a brown/red colour usually in Flemish or English Garden bond, whilst nineteenth century bricks are larger and redder with a smoother finish.

6. Fronting the pavement, faced in red brick and set at a narrow point along Northgate, the appeal property reinforces the characteristics of the CA. Due in part to the use of smooth red machine cut brick, simple rubbed brick arches over entrances, and presence of tall Victorian 1 over 1 sliding sash windows, the evidence indicates the building was reconstructed or, at least, refaced in the mid to late nineteenth century.
7. The appellant accepts that the building has a Victorian appearance and for the above reasons I see no reason to disagree. The appeal building provides a pleasing contrast with the adjoining building to the west, which is faced with eighteenth century bricks with a mix of window styles. Furthermore, the frontage of the appeal building (as shown on the existing plans) consists of an asymmetrical arrangement of windows and doors. This contrasts with the more formal and regular arrangement of windows and doors of its adjoining neighbour. The position of the two buildings alongside one another contributes to the juxtaposition of building styles and ages that characterises the CA. My conclusions in this regard are reinforced by the CAA.
8. Paragraph 203 of the National Planning Policy Framework (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. I note that the building does not appear on a local list, however, I am mindful of the Planning Practice Guidance (PPG)¹ which sets out that in some cases, local planning authorities may identify non-designated heritage assets as part of the decision-making process on planning applications. This is reflected in Policy SP11 of the East Lindsey Local Plan Core Strategy (2018) (the LP) which states that non-designated heritage assets can be identified through the development management process.
9. Having regard to the age and composition of its frontage, its contribution to the CA and the features described above, I am satisfied that the appeal building has sufficient heritage significance to constitute a non-designated heritage asset as set out in the LP, the Framework and the PPG.
10. The appeal proposal would involve a reconfiguration of the frontage with most window and door openings being relocated. This would include removal of existing rubbed brick arches, insertion of new stone heads and cills and reducing the height of the window openings at first floor level. The new windows would be 6 over 6 sliding sash windows and have different proportions to the existing windows.
11. Section 8.82 of the CAA states that vertical sliding sashes of the eighteenth and nineteenth centuries are the prevailing style in the town and that they are generally 6 over 6 or 8 over 8 sashes. However, as set out above, the appeal property frontage dates from the mid to late nineteenth century and its existing window style is consistent with that period. That the CAA identifies that other window styles are more common is not justification for removing less common window styles, particularly as their presence contributes to the variety in the CA as set out in the CAA.
12. The proposed windows would reflect a period pre-dating the fabric of the existing frontage. Owing to their different proportions and 6 over 6 division, the proposed Georgian style windows would appear at odds with the character of

¹ Paragraph: 040 Reference ID: 18a-040-20190723.

the existing building, creating a confused frontage with the proposed windows seen alongside the distinctive machine cut brick that is characteristic of a later period. This confused appearance would adversely affect the significance of the non-designated heritage asset and reduce the variety in the CA, resulting in harm to its character and appearance.

13. As part of the proposal, the simple rubbed brick arches would be replaced with a much grander single entrance positioned centrally at ground floor. Owing to its design, prominence and its grand appearance, the proposed Classical style pilastered door surround would be distinctly at odds with the simple mid to late nineteenth century character of the existing frontage. Combined with the loss of the existing rubbed brick arches, this would adversely affect the significance of the non-designated heritage asset and would reduce the variety in the CA, to the detriment of its character and appearance.
14. The appellant has referred to shop fronts at 36 Northgate and 12 Vickers Lane. However, I would note that the doorways of these buildings are similar to that of the appeal property in their simplicity. Given the obvious differences in use and appearance, the presence of pilastered shopfronts nearby is not justification for the proposed door surround.
15. Reference is made to the potential use of a terracotta door surround. However, my role is to assess whether the details before me are acceptable rather than prescribing alternative solutions.
16. For the above reasons I conclude that the proposal would fail to preserve or enhance the Louth Conservation Area and would amount to less than substantial harm as set out in paragraph 202 of the Framework. It would also result in harm to the significance of a non-designated heritage asset. The proposal would be contrary to Policy SP11 of the LP and paragraph 189 of the Framework, which together seek to conserve heritage assets in a manner appropriate to their significance.
17. Section 72(1) of the Act² requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area, to which I have attached considerable importance and weight.
18. The proposal would bring a vacant building in the CA, a non-designated heritage asset, back into use. This would be a moderate public benefit of the proposal, although the harm I have identified relates primarily to the treatment of windows and doors. It follows that the change of use need not take the exact form of that before me.
19. I note that the appellant is seeking to provide the proposed windows in order to provide privacy to their living space, however the provision of windows of the style proposed is unlikely to be the only means of achieving this aim. Nonetheless, this is primarily a private benefit of the proposal.
20. Overall, the moderate public benefit listed above, when taken together with any other public benefits, would not outweigh the harm to the character and appearance of the CA identified above.

² Planning (Listed Buildings and Conservation Areas) Act 1990.

Other Matters

21. I accept that the Parish Council or Civic Trust did not object to the proposal. However, I would note that local support or lack of objection is not necessarily indicative of a lack of harm.

Conclusion

22. 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