



Appeal Decision

Site visit made on 8 June 2023

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th October 2023

Appeal Ref: APP/E2530/Y/22/3313626

3 and 4 St Peter's Hill, Stamford PE9 2PE

- 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 Keith Norman against the decision of South Kesteven District Council.
 - The application Ref S21/2380, dated 1 December 2021, was refused by notice dated 30 September 2022.
 - The works proposed are internal and external alterations associated with the use of No. 3 and No. 4 St Peter's Hill as a single dwelling house; including the partial removal of walls, removal of internal/external features (including stairs etc) alterations to windows/doors, replacement of roofing, construction of balcony and stairs, alterations to openings and further internal/external alterations.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Keith Norman against South Kesteven District Council. This application is the subject of a separate Decision.

Procedural Matters

3. The Government published a revised National Planning Policy Framework ("the Framework") on 5 September 2023, replacing the previous version dating from July 2021. The amendments made did not have any bearing on the issues in this appeal, and it was therefore not necessary to seek comments from the main parties on the updated Framework. Where I have referred to specific paragraphs of the Framework, the numbering used is that of the September 2023 version.
4. The evidence before me indicates that the scheme was amended while the application was being considered by the Council. In respect of the proposed internal works, I have therefore relied on the latest versions of the submitted ground and first floor plan layouts¹. Externally, the proposal to replace the existing front door to No 4 with a window was withdrawn; I have therefore reached my decision on the basis that the front elevation would remain as shown in the "existing front elevation" drawing², rather than the originally-submitted "proposed front elevation" drawing³.

¹ Respectively Drawing 003 Revision 1, and Drawing 004 Revision 1.

² Drawing 006

³ Drawing 007

Main Issue

5. The main issues are whether the proposed works would preserve the Grade II listed buildings Nos 3 and 4 St Peter's Hill, or any features of special architectural and historic interest which they possess; and whether they would preserve or enhance the character or appearance of the Stamford Conservation Area ("the SCA").

Reasons

Significance and special interest

6. The appeal is against the refusal of listed building consent for works to Nos 3 and 4 St Peter's Hill, two Grade II listed buildings close to the western edge of Stamford town centre and within the SCA. I have therefore had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Act"). Paragraph 189 of the Framework advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Both buildings were first listed in May 1954. The official list entries describe No 3 as dating from the 17th century⁴, and No 4 as being from the 18th century⁵.
7. The front part of No 3 has two storeys, plus attic and basement. The list description states that it is of coursed rubble with stone quoins, with a roof of Collyweston stone slates with a small hipped dormer on the front elevation. The ground floor has a stone bay, the hipped blue slate roof of which extends to form a canopy over the front door. The rear part of No 3 has been significantly altered since the building was listed; the Royal Commission on Historical Monuments England published *An Inventory of Historical Monuments in the Town of Stamford* ("the RCHM inventory") in 1977, and this described the interior of No 3 as having been "gutted". There is a two-storey flat-roofed extension at the rear, largely of concrete block construction; the ground and first floor interiors appear to have been reconfigured as part of the same alterations. Based on information provided by the family of the building's previous owner, the appellant suggests that the rear extension and related alterations date from around 1970 or '71, though there is no evidence of consent having been granted for the works.
8. The list description for No 4 states that it has two storeys plus attics, is of ashlar with a band between storeys, and has a stone slate roof with one cambered dormer. The description reflects the use of No 4 as a garage at the time it was listed, with "modern garage doors on the ground floor", though following further alterations these are no longer in place. That No 4 is a more recent building than No 3 can clearly be seen from the street; quite apart from differences in style, the upper part of No 4 oversails the northern edge of No 3 by around 370mm. The RCHM Inventory suggests that No 4 was originally built in the early 19th century, so somewhat later than the list entry indicates, and again it describes the interior as having been "gutted". The building has subsequently been significantly altered again, and it is once more a private dwelling. It now has three storeys plus attic, and the fenestration of the front elevation has also been changed to reflect its internal reconfiguration.

⁴ List entry 1062950

⁵ List entry 1170004

9. The buildings north of the appeal site area were also listed at the same time as Nos 3 and 4. No 5 St Peter's Hill is a Grade II listed building, and No 6 is Grade II* listed⁶; the list entries for both state that they date from the mid-17th century (again, with later alterations and extensions). The list entries for the two appeal properties and these two neighbours describe the four buildings as forming a group. Because of differences in height, form and detailing within the group, I agree with the appellant that they are perhaps an "eclectic collection", though none of the buildings appears to be of a style untypical for the surrounding area. The buildings combine to make St Peter's Hill a visually interesting and characterful street, and the group forms an attractive backdrop to the open green triangle where St Peter's Church once stood (though this was demolished in the late 16th century).
10. The Council's *Stamford Conservation Area Draft Appraisal* ("the SCADA")⁷ explains that the town is characterised by a well-preserved medieval core comprising of stone buildings largely dating from the 17th and 18th centuries interspersed with earlier timber-framed buildings. While St Peter's church is no more, the town retains five other medieval parish churches. Beyond the medieval core of the town are elegant examples of 19th century residential developments. The appeal properties make a positive contribution to the character and appearance of the town centre fringe in this part of the SCA.
11. From the evidence before me, including the list descriptions and the RCHM Inventory, as well as my own observations, I consider that the significance of the listed buildings Nos 3 and 4 St Peter's Hill, insofar as it relates to this appeal, is derived from their age, their origins as residential development illustrative of the revitalisation and growth of Stamford during the 17th and 18th centuries after a long period in which the town's fortunes had declined, and the positive contribution they make to the streetscape of the historic town of Stamford. Notwithstanding that both properties have been altered internally and externally over their long existence, the historic residential use and separate identity of each building is clearly legible from the public realm. Within No 3, the internal wall between the older front part of the building and the 1970s rear extension marks provides an indication of the historic plan form, even if the wall as it stands today is not original. The grouping of the two buildings alongside their neighbours on St Peters Street, and their location opposite the site of St Peter's Church, makes an important contribution to the buildings' significance, and in turn adds to the quality of the townscape.

Proposed works and effects

12. No 4 St Peter's Hill is the appellant's residence. No 3 was last occupied as a physiotherapist's surgery, having previously been a hairdressing and beauty salon. The evidence before me indicates that it has was in commercial use for around half a century, but has been empty since 2018 or 2019. Planning permission was granted on 14 December 2021⁸ for the change of use of No 3 from a commercial property to a dwellinghouse "to allow for [the] future use of No 3 and No 4 as a single dwelling". The appellant is now seeking listed building consent for a variety of works to facilitate the conversion of the two houses to a single dwelling.

⁶ List entries 1062951 and 1360019

⁷ Undated, though based on survey work carried out in 2010 and 2011

⁸ LPA Ref: S21/1902

13. The proposed alterations would include the connection of Nos 3 and 4 internally at ground and first floor levels. Within No 3, parts of other internal walls and a steel-framed staircase would be removed, new floors installed, the roof repaired, the existing rear extension enlarged at ground floor level, and new window and door openings created in the extension. Externally a balcony would be created at first floor level with steps down to the rear courtyard; the courtyard itself would be connected to that at No 4 by the demolition of a small part of the rear extension.
14. Creating the openings between No 3 and No 4 would involve the demolition of sections of the party wall⁹ between the two properties. Parts of the brickwork can be seen inside No 3, for example, in an opening which is now a meter cupboard next to the front door, and within the attic, where it sits behind the oak framework of what the appellant describes as "either a timber party wall or gable end". The mortar "snots" visible on No 3's side of the wall support the appellant's suggestion that the brickwork was laid overhand from the No 4 side, at the time No 4 was built. While the brickwork which would be removed is therefore very unlikely to be part of the original fabric of No 3 (and some parts towards the rear may be later blockwork from the 1970s extension), the evidence before me suggests that much of the material which would be removed is part of the original, or at least early, fabric of No 4. I therefore do not accept the appellant's argument that the proposal would not lead to the loss of any historic fabric within either building.
15. The creation of the connection between the two properties would also involve the removal of part of the internal walls towards the rear of No 3 on both the ground and first floors¹⁰. These walls mark the boundary between the 17th century and 20th century parts of the building, and appear to date from the 1970s alterations. On the ground floor, part of the wall is a low level planter dividing the front and rear rooms, while its upper part incorporates fibreglass "beams" which are understood to conceal structural steel joists, so it is doubtful whether it still retains any original or historic fabric. Even so, the removal of a substantial part of these walls, along with the creation of the wide openings to No 4 would result in the combined dwelling (and the interior of No 3 in particular) taking on an essentially open-plan layout over much of the ground and first floors.
16. The appellant has suggested that the two buildings may have been linked internally in the past, although neither the documentary evidence before me nor anything I saw on site lends significant weight to this proposition. I note that the scheme was amended so that "nibs" indicating the line of the brickwork would be retained, and the openings would not be as wide as had originally been proposed. The appellant also takes issue with the Council's description¹¹ of No 3 as having originally had a "cellular" form; I agree that the evidence before me suggests that the RHCM Inventory's description of it as originally having had a "single room plan" may be better. However, regardless of the terminology, the legibility of the original layout of No 3, which has already been diluted by the 1970s alterations, would be further eroded by the works now proposed. The openness would also diminish the legibility of the

⁹ Referred to as "Wall A" in the appellant's statement.

¹⁰ The ground floor part is referred to as "Wall B" in the appellant's statement.

¹¹ Adopting the terminology used by the Society for the Protection of Ancient Buildings in its consultation response.

historic form of No 4 as a self-contained dwelling (notwithstanding that it has been altered and used for other purposes in the meantime).

17. The submitted drawings¹² show that the floors in the front 17th century part of No 3 are at present slightly lower than their counterparts within No 4, reflecting both the differences in scale and form of the two buildings, and the changing land levels along St Peter's Hill (though they are higher in the 1970s rear extension). The ground and first floor levels within No 3 would be altered to align with those in No 4; within the front part of No 3 the floors would be raised, and the drawings also show that the height of the ground floor ceiling would be increased. The ground and first floors within No 3 appear not to be original, though as no details of how the proposed changes would be carried out have been provided it is possible that the alterations would lead to the loss of some historic fabric from the supporting walls. Connecting Nos 3 and 4 with matched floor levels would also emphasise the openness of the new layout, putting the internal configuration of the two buildings at odds with their external appearance, and resulting in a significant erosion of both of their separate identities and the remaining historic plan form of No 3.
18. The existing 1970s steel staircase between the basement and first floors of No 3 is a relatively modern and unsympathetic addition to the building. Its removal would not result in a further loss of historic fabric. The existing (and possibly original) staircase to the attic would be retained, while access to the basement of No 3 would be via a new, traditionally-styled timber staircase. In the modified layout, internal access from the ground floor to the first floor of the combined dwelling would only be possible via the existing modern staircase within No 4. This would have a considerable impact on the buildings' legibility as self-contained dwellings, and would further diminish their distinct individual identities.
19. I saw on my site visit that the roof on the 17th century part of No 3 is in a poor condition. There are numerous gaps where slates have cracked or slipped, and there is consequently some evidence of water ingress. I do not disagree that it is therefore in need of early repair. The proposed approach to this is to strip the rear roof slope, and to re-use the Collyweston slate which can be salvaged to repair the front slope; the rear would be reroofed with blue slate. I note that the appellant suggests that it would "[ensure] the longevity of the building at an economically acceptable level", although there is no further information before me about the likely cost differences between using Collyweston and blue slate for the rear part of the roof. Although the Council considered that this element of the works would be acceptable, it would nevertheless lead to an alteration of the external appearance of No 3, as well as to some loss of historic fabric.
20. The other changes proposed – the creation of new openings, the installation of new windows, French doors and bi-fold doors, the first-floor balcony and the external stairway to the rear courtyard, as well as the demolition of the ground floor WC, would affect the fabric and appearance of the 1970s extension at the rear of No 3. The Council considered that these elements of the scheme would not have an adverse effect on the listed buildings and, based on all the evidence before me and my observations on site, I agree.

¹² Drawing 005 – proposed and existing floor levels.

21. Nevertheless, taking all the above points together, it is clear that the works proposed would lead to the loss of some original or historic fabric, and an erosion of the historic form and distinctive separateness of both No 3 and No 4. I therefore find that the proposal would fail to preserve the special interest and significance of the two listed buildings.
22. The external changes to No 3, including the replacement of the rear roof slope with blue slate rather than Collyweston, and the alterations to the existing extension, would be focused on the rear part of the building. They would not be seen in public views and indeed, given the tight layout of buildings and walls at the rear of the site, they would not be widely seen in views from neighbouring properties either. I am satisfied that the character and appearance of the SCA would be preserved, and I therefore find no harm in respect of the conservation area. However, this does not mitigate or outweigh harm to the listed buildings.
23. The Framework requires great weight be given to the conservation of a heritage asset when considering the impact of a proposal. Paragraphs 201 and 202 of the Framework require the decision-maker, having identified harm to the designated heritage asset, to consider the magnitude of that harm. In this case, I consider the degree of harm would be less than substantial when considered in the context of the significance of the assets as a whole. In such circumstances, any harm should be weighed against any public benefits of the proposal, including securing the optimum viable use of the buildings.

Public Benefits and Balance

24. The proposed works would support bringing No 3 back into use as a private dwelling, its original purpose, after a long period of commercial use. More recently, No 3 has been vacant and, as I have described above, some deterioration in its fabric is evident; this would be tackled as part of the appeal scheme. The scheme would also see the removal of some of the least sensitive elements of the 1970s alterations such as the steel staircase and plastic beams. I consider that these would be the main public benefits of the proposal.
25. Having viewed the interior of the appellants home at No 4 St Peter's Hill, I do not doubt the appellant's commitment or ability to restore No 3 sensitively. However, combining Nos 3 and 4 into a single dwelling appears to be a reflection of the appellant's desire to create a "forever house", rather than being a necessary measure to secure the future of No 3. The merging of the two buildings in the manner proposed would therefore essentially be a private benefit rather than a public one.
26. While I acknowledge that No 3 is in need of some intervention, it would not require such dramatic works as proposed, notably those resulting from connecting it with No 4 internally, to return it to being a functional building. It is in a very attractive location close to the wide range of shops, services and other facilities available in Stamford town centre, and there is no substantive evidence before me to demonstrate that it could not be brought back into use as a self-contained dwelling in a way which would secure its future while also avoiding much or all of the harm I have identified. While the proposal before me may represent a viable intervention in respect of No 3, I am not persuaded that it represents the optimum use of either No 3 or No 4 St Peter's Hill.

27. I note the support for the scheme which the appellant has secured from a range of local interests and individuals within Stamford. However, while I consider that the public benefits attributable to the proposal would carry appreciable weight, this would not outweigh the great weight to be given to the harm to the significance and special interest of Nos 3 and 4 St Peter's Hill. As such, the proposal would not comply with paragraph 202 of the Framework, and it would fail to satisfy the requirements of section 16(2) of the Act.

Other Matters

28. As I have already described, Nos 5 and 6 St Peter's Hill are listed buildings, and I also therefore have a statutory duty relating to them. Based on everything I have seen, I do not consider that the proposed works to Nos 3 and 4 would result in any harm being caused to the significance of Nos 5 or 6 St Peter's Hill as designated heritage assets.

29. The appellant raised further matters in respect of the Council's handling of the application for listed building consent, including its consistency of decision making and the consultation it carried out. Beyond those points which I have addressed in my reasons above they are not directly related to the proposed works to the listed buildings; they are dealt with instead in the separate costs decision.

Conclusion

30. For the reasons set out above, the appeal should therefore be dismissed.

M Cryan

Inspector