



## Appeal Decision

Site visit made on 18 October 2023

**by Ryan Cowley MPlan (Hons) MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 9 November 2023**

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**Appeal Ref: APP/E2530/W/23/3321781**

**The Reading Room, Bainton Road, Tallington, Stamford PE9 4RT**

- 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 Silent Developments against the decision of South Kesteven District Council.
  - The application Ref S23/0445, dated 7 March 2023, was refused by notice dated 9 May 2023.
  - The development proposed is change of use from village reading room and an extension to form a new dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for change of use from village reading room and an extension to form a new dwelling at The Reading Room, Bainton Road, Tallington, Stamford PE9 4RT in accordance with the terms of the application, Ref S23/0445, dated 7 March 2023, subject to the conditions set out in the schedule at the end of this decision.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

3. The appeal site comprises a modest detached single storey building and its associated curtilage, which formerly served as the Tallington Reading Rooms. The building is in the corner of the plot, set back from Bainton Road and the adjacent public footpath, and is of a simple design with few distinguishing features. There is a solid timber door and no windows in the elevation facing the road, and a small window in both the north and south facing elevations.
4. The site is well screened to the south and east by neighbouring development and boundary treatments. However, despite the erection of a fence along the northern boundary, the existing building can be seen clearly across the adjacent land and public footpath, and from Bainton Road. It is therefore in a somewhat prominent position, particularly when approaching from the north.
5. The surrounding area is primarily residential in nature and features a mix of detached, semi-detached and terraced house types, of varying sizes. The immediate development on the appeal site's side of the road is low density, characterised by contemporary detached dwellings set back from the footpath, within generously sized plots. On the opposite side of the road development is more traditional in appearance and higher density, with smaller plot sizes, less

space between dwellings and closer proximity to the street. Materials include a variety of brick, stone and render, with grey or red roof tiles.

6. The proposal would include an extension to the existing building, projecting from its northern elevation towards the site boundary. This would considerably increase the width of the building viewed from the road, though its depth would not increase significantly. The elongated form of the dwelling would reflect that of the existing single storey buildings on the neighbouring plot.
7. While it would have two levels, the first floor would be set partially into the roof space, moderating its height in relation to the existing building. The expansive western elevation would be broken up by a large area of glazing at ground floor. The extension would also step back from the western elevation of the existing building, distinguishing it as an addition while reducing its dominance within the site and further breaking up the overall mass of the development.
8. The appeal site is modest in size and the position of the building in the corner of the plot is somewhat unconventional. The layout and proportions of the site as proposed would also differ from those of other dwellings on this side of Bainton Road. However, the design of the proposed extension would maintain an appreciable set back from Bainton Road and provide a commensurate amount of amenity space along this frontage. The scale and layout of the development in relation to the plot size would not appear unduly incongruous or cramped in the context of the existing development on the other side of the road. The shallow depth and modest height of the proposed extension would also help to mitigate any harmful sense of overdevelopment, particularly in views from the north.
9. The finishing materials and architecture of the extension would be in keeping with the surrounding area. Works to the existing building, including use of render and the provision of a new glazed door and window in the public facing elevation would enhance its appearance and that of the wider area.
10. I conclude that the proposal would not harm the character and appearance of the area. It would be in accordance with Policies SP3 and DE1 of the South Kesteven District Council Local Plan 2011 – 2036, January 2020. Policy SP3, among other provisions, supports infill development on previously developed land and within the main built-up part of the settlement provided it does not extend the pattern of development beyond the existing built form, is in keeping with the character of the area and is sensitive to the setting of adjacent properties. Policy DE1 seeks to ensure development is of a high-quality design, makes a positive contribution to local distinctiveness, does not adversely impact on the streetscene, settlement pattern or character of the area and is of an appropriate scale, density, massing, height and materials.
11. The proposal would also accord with Chapter 12 of the National Planning Policy Framework (the Framework), in respect of its aims of achieving well-designed places and ensuring developments add to the overall quality of the area, are visually attractive, sympathetic to local character and history and maintain a strong sense of place.

## **Other Matters**

12. The proposed plans show parking accessed from Bainton Road at the front of the site. This would be accessed over, and require work to, land beyond the

application site boundary. These works would require approval from the Local Highway Authority (LHA) in accordance with Section 184 of the Highways Act.

13. The LHA has not raised any concerns in respect of access or car parking and has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network. Having regard to the small scale and context of the development, there is no compelling evidence before me to lead me to a different conclusion on this matter.
14. I saw on my site visit that there is a commemorative tree planted in front of the site along Bainton Road. The evidence before me indicates that this would need to be relocated to accommodate a new vehicular access. However, the tree is beyond the site boundary and there is no evidence to indicate that it is statutorily protected. Any works beyond the site boundary, such as landscaping works or relocation of the village noticeboard, would require consent of the relevant landowner. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access must be agreed with the LHA prior to a vehicle access application.
15. Access to the appeal site for maintenance of the existing single storey buildings on the neighbouring plot would be a private matter between the appellant and the adjoining landowner.

### **Conditions**

16. The Council has suggested conditions should the appeal be successful. I have considered these and amended where necessary to accord with the Planning Practice Guidance (PPG) and the tests for conditions set out in Paragraph 56 of the Framework.
17. In addition to the standard time limit condition, it is necessary to specify the approved plans as this provides certainty. A condition to secure final details of finishing materials is required to safeguard the character and appearance of the area, and to clarify ambiguities within the submitted details. However, there is no compelling reason before me to require external elevations to be finished prior to occupation.
18. A condition is required to secure sustainable building measures including minimisation of carbon dioxide emissions, water efficiency and the provision of electric car charging points, in order to comply with Policies SB1 and SD1 of the Local Plan.
19. A condition to deal with contaminated land, should this be encountered during excavation and construction, is required in view of representations from the Council's Environmental Protection Officer, in the interests of avoiding pollution and in accordance with Policy EN4 of the Local Plan.
20. Given the small size of the site and its proximity to neighbouring properties, limits on hours of demolition or construction are required in order to prevent undue disturbance to the neighbouring residents and to comply with Policies EN4 and DE1 of the Local Plan.
21. The Council has also suggested a condition requiring the development to be undertaken in accordance with the bat mitigation strategy details in the

Preliminary Bat Roost Assessment (PBRA). However, the PBRA<sup>1</sup> before me did not identify any bat roosting features at the building and assessed the building as providing negligible potential to support roosting bats.

22. The only mitigation measures proposed were therefore to re-survey the building should more than 2 years elapse before construction commences and to cease work should bats be discovered during construction, pending further investigation. Given the limited potential for the building to support roosting bats, and the statutory protections already in place, which the appellant is bound by in any event, I do not consider this condition to be necessary.

### **Conclusion**

23. The proposed development would adhere to the development plan as a whole and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

*Ryan Cowley*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:  
1617 11 D – Proposed Plans and Elevations  
1617 12 B – Existing Location Plan & Proposed Site Plan
- 3) No development above finished ground floor level shall take place until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) No development above finished ground floor level shall take place until details demonstrating how the proposed dwelling will comply with the requirements of Local Plan Policies SB1 and SD1 have been submitted to and approved in writing by the local planning authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the building; details of water efficiency; and the provision of electric car charging points. The approved sustainable building measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the dwelling hereby permitted.
- 5) Any contamination that is found during excavation or construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to and

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<sup>1</sup> Allied Ecology, Preliminary Bat Roost Assessment, August 2022

approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.

- 6) Demolition or construction works shall take place only between the hours of 7:30am to 6:00pm on Monday to Friday and 9:00am to 1:00pm on a Saturday, and shall not take place at any time on Sundays or on Bank or Public Holidays.

**END**