



Appeal Decisions

Site visit made on 29 May 2024

by J P Longmuir BA(Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 July 2024

Appeal A Ref: APP/E2530/W/24/3338274

Hall Farm, Church Lane, Londonthorpe, Grantham NG31 9RX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Paul Grey against the decision of South Kesteven District Council.
 - The application Ref is S22/2160.
 - The development proposed is the erection of replacement conservatory.
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Appeal B Ref: APP/E2530/Y/24/3338276

Hall Farm, Church Lane, Londonthorpe, Grantham NG31 9RX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Paul Grey against the decision of South Kesteven District Council.
 - The application Ref is S22/2162.
 - The works proposed are the erection of replacement conservatory.
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Decision

1. Appeal A: The appeal is dismissed.
2. Appeal B: The appeal is dismissed.

Preliminary Matters

3. The Appellant confirmed the plan for consideration is the drawing number 1821/52 dated July 2021 and not the later revision 1821/52H dated June 2023¹.
4. The appeals concern works and development at the Grade II* listed Hall Farm House (List Entry Number: 1261914), situated within Londonthorpe Conservation Area.
5. Section 16(2) and section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) require special regard is given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. I am also mindful of the historic environment policies within the National Planning Policy Framework (the Framework) that relate to the significance of designated heritage assets and their settings.

¹ Confirmed by e-mail on 23 May 2024

6. Whilst the Council did not object on grounds of the Conservation Area, I nonetheless have a duty to consider it as section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
7. Opposite and close to the appeal site are Hall Farm Cottages, 1 and 2 Church Lane (List Entry Number: 1253209). Whilst the Council did not object in terms of the setting of this listed building, I nonetheless have a duty under section 66 of the Act, to consider any harm to the setting of a listed building.
8. These appeal decisions address both planning and listed building consent appeals for the same site and the same scheme. The remit of both regimes is different, and the main issues identified below relate to either planning appeal (Appeal A) or the listed building appeal (Appeal B) or both. To reduce repetition and the avoidance of doubt I have dealt with both appeals together within this single decision letter.

Main Issue

9. The main issue in both appeals is whether the proposal would preserve the Grade II* Hall Farm House listed building or its setting or any features of special architectural or historic interest that it possesses.

Reasons

10. Londonthorpe is a small village, which the Appellant suggests has 40 properties. Church Lane is an outlying cul-de-sac fragment to the rest of the village and is well named being narrow and leading to the church. Hall Farm is located almost at the end of the lane, opposite Hall Farm Cottages and a large area of agricultural style outbuildings.
11. The Church Lane elevation to Hall Farm has a varied roofline created by a lower offshoot to the main house and a tall chimney at eaves height. Fenestration is varied too with the main house having 5 windows arranged in a symmetrical pattern and the lower offshoot featuring large dormers at eaves height.
12. The north side of the house is built of natural stone and largely blank except for a lean-to conservatory and a small single storey offshoot along the Church Lane frontage. There are stone quoins on the corners, which contrast with the rubble stone in the rest of the wall. This northern side faces the entrance drive which takes a circuitous route from Church Lane.
13. The rear facing west elevation (the opposite elevation to Church Lane) backs on to distant views of extensive open countryside emphasised by a ha-ha. This elevation has richly detailed windows, pediment and chimneys, arranged in a classically symmetrical form. The architecture reflects its construction in circa 1730, as dated in the list description.
14. The special interest and significance of the listed building is partly derived from its rear (western) facing elevation, where its detailing and scale exude grandeur. Whilst it appears to have been designed to be viewed and admired from the rear garden, the expansive walling on the north side wall of the house is important, acting as a deferential canvas, especially on arrival. This north side wall has its own more subtle interest, featuring the local well weathered, mottled natural stone demonstrating its variation in shade.

15. The special interest and significance of the building is also derived from contrasting sides, which also extends to that on Church Lane, being less grand than the rear facing elevation, but nonetheless elaborate.
16. The existing conservatory is a small and simple lean-to and set back from the corner of the north and rear facing elevations. All these aspects limit the impact of this element which disrupts appreciation of the wall in its entirety. This proposal would be longer and wider with a hipped projecting gable, all of which would overtly attract attention. In addition, due to its larger footprint and its siting, it would also be seen in conjunction with the rear facing elevation, to its detriment being a distraction. Furthermore, the sense of arrival and grandeur would be lost in the sequence of views as one moves around the building and turns the corner to the rear facing elevation.
17. In addition, the expanse of the rubble stone wall would be less apparent, being partly obscured by the larger proposed conservatory. The walling is a feature of the listed building, and its perception would be harmed by the proposal.
18. The Appellant highlights the use of the slate roofing, stone plinth and joinery detailing with vertical glazing painted to reflect that used elsewhere on the building. However, these would not make the extent and shape of the conservatory acceptable. Additionally, whilst the Appellant remarks that the west facing elevation is not publicly visible, it is nonetheless important being a fundamental part of a listed building.
19. I noted on my site visit, that there is an offshoot to the other (south) side. However, this is recessed back from the stately rear (western) elevation and so is not distracting or harmful.
20. The removal of the existing conservatory would in itself be beneficial to the heritage asset. However, this benefit would not be offset by the greater harm arising from the larger, and hipped replacement structure in the appeal proposal.
21. I find that the degree of harm would be less than substantial.

Heritage and Planning Balances

22. Whilst the harm arising would be less than substantial; however, Paragraph 205 of the Framework advocates great weight to the asset's conservation. I therefore give considerable importance and weight to the harm I have identified in my balancing judgment below. Indeed Paragraph 205 of the Framework also states the more important the asset, the greater the weight should be: this proposal affects a Grade II* asset.
23. The Appellant suggests that the proposal would help the optimum viable use of the building and also describes the existing conservatory as in poor repair. I acknowledge the proposal would help the use of the house for everyday living and the existing conservatory is also in poor condition. I have also found above that the removal of the existing conservatory would be beneficial. However, taking the public benefits together as a whole I conclude that they would not be of sufficient weight to outweigh the harm identified to the significance and special interest of the designated heritage asset.

24. I therefore conclude that the proposal would harm the Grade II* listed Hall Farm House, contrary to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
25. In the light of my findings above on the harm arising to the listed building, it is not necessary for me to come to a conclusion on the effect of the proposal on the setting of Hall Farm Cottages or the conservation area.
26. Policy EN6 of South Kesteven District Council Local Plan 2011-2036 states the Council will seek to protect and enhance heritage assets and their settings, in keeping with policies in the Framework. Development if harmful will only be granted where public benefits outweigh the potential harm. The proposal would be contrary to this policy. Policy DE1 titled providing good design, requires development proposals make a positive contribution to local distinctiveness the vernacular and character of the area. Due to the harm arising, the proposal would be contrary to Policy DE1 in this respect.
27. I have found above no harm in terms of impact on living conditions and so the proposal would not in this particular respect conflict with Policy DE1 of the above plan.
28. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states determination must be made in accordance with the plan unless material considerations indicate otherwise. Paragraph 11(c) of the Framework states that decision taking means approving development proposals that accord with an up-to-date development plan without delay. In respect of Appeal A, the proposal would be contrary to the Development Plan when taken as a whole and material considerations do not indicate the proposals should be approved.

Conclusions to both appeals

29. For the reasons given above and having regard to all other matters raised, I conclude that both Appeal A and Appeal B should be dismissed.

John Longmuir

INSPECTOR