



Appeal Decision

Site visit made on 27 November 2024

by H Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 DECEMBER 2024

Appeal Ref: APP/E2530/Y/24/3348955

Brownes Hospital, Broad Street, Stamford, Lincolnshire PE9 1PF

- 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 Dr John Michell (The Trustees of Browne's Hospital) against the decision of South Kesteven District Council.
 - The application Ref is S24/0688.
 - The works proposed are cladding to lightwell.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal is in a conservation area and relates to a listed building, I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. The appeal site is located within the Stamford Conservation Area (CA). The Decision Notice did not refer to the CA in its reasons for refusal. Nevertheless, I have a statutory duty under section 72(1) of the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Therefore, the parties were given an opportunity to comment on this matter. As such, my inclusion of this matter as a main issue would not prejudice any parties.
4. At my site visit I saw that the cladding to the rear lightwell had been constructed on site. However, as I cannot be certain that what has been built is fully in accordance with the plans before me, I have assessed the works as shown on the submitted plans and the evidence before me.
5. A revised National Planning Policy Framework (Framework) was published on 12 December 2024 after the Council made its decision. I have had regard to the revised Framework in reaching my decision.

Main Issue

6. The main issues are whether the proposal would i) preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the Stamford Conservation Area.

Reasons

Special interest and significance

7. The appeal property, known as the Warden's House to Browne's Hospital, is a late 19th Century Grade II listed¹ building. The listing description states that it is a three-storey building constructed in coursed rubble with ashlar dressings and quoins. There is a two-storey oriel to the right, on a moulded bracket. The roof is finished in slate with red ridge tiles.
8. The appeal building is aligned to the rear of the pavement and creates a continuous frontage to the Browne's Hospital buildings. Pertinent to the appeal, the tall lightwell is located on the building's rear elevation. I observed during my site visit that this was visible from North Street.
9. Having regard to the above, I find that the special interest and significance of the listed building are derived from its historic and architectural interests. These include its illustration of a 19th Century Warden's House, traditional method of construction, and surviving historic fabric. Special interest and significance also stem in part from its associations and group value with Browne's Hospital buildings, located mainly to the west of the site.
10. The appeal site is sited within the Stamford Conservation Area (CA). The CA encompasses the buildings and spaces fronting Broad Street, which includes the appeal property and Browne's Hospital buildings. This part of the CA is characterised by tightly packed two to three storey buildings constructed mainly from limestone with either coursed rubble masonry or ashlar for the higher status buildings. Collectively they provide a consistent character, including construction of similar materials and alignment to the rear of pavement edge creating a continuity of building frontage.
11. The special interest and significance of the CA mainly stems from the variety and architectural richness of its buildings that denote its evolution and the distinct form and layout of the town. The appeal listed building is located within the Medieval core in a prominent position next to Browne's Hospital. It largely retains its overall external historic character and form, making a positive contribution to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

Proposal and effects

12. Consent is sought for works relating to the addition of cladding to the lightwell at the rear of the appeal building. The cladding would consist of synthetic insulation attached to the wall behind it, which is Celotex GA4000, and then finished with a white Homeline PVC-UE cladding system.
13. The proposal would be located to the rear of the building. Notwithstanding this, the large expanse of white cladding on the tall lightwell feature would create a harmfully conspicuous addition to the listed building. This is because the introduction of cladding would be an unfamiliar material to the listed building and thus not sympathetic to its historical design. The bright, smooth, and uniform appearance of the white PVC cladding would be incompatible with the natural aged look of the historic fabric, leading to a loss of authenticity.

¹ List Entry Number: 1062248

14. Thus, the proposal would be an intrusive and discordant addition that would harmfully draw the eye. It would create a jarring contrast to the historic fabric of the listed building, detracting from its architectural integrity. Consequently, it would unacceptably harm the significance of the listed building.
15. Although I acknowledge that the render it would conceal was white when new and the cement material was an unsatisfactory finish, this would not justify works that would result in harm to a heritage asset.
16. The appellant suggests that the plans for the lightwell itself date from 1962 when the lightwell was created by the demolition of a stairwell, and therefore have no relation to the original building. Nevertheless, there is no compelling evidence before me to demonstrate that the appeal building's walls where the lightwell is formed have no historical value. Indeed, the scope of the listing and the statutory presumption set out under section 16(2) of the Act covers the whole building, including its internal walls.
17. While the lightwell itself is not visible from Broad Street and I acknowledge that a development is due to be built adjacent to the site, nevertheless, glimpses of the proposal would still be possible from North Street due to its tall height. There would also be a greater visibility from neighbouring properties. As such, the proposal would have a moderate degree of prominence. In any event, listed buildings are safeguarded for their inherent architectural and historic interest irrespective of whether or not public views of the building can be gained.
18. As the appeal building is an important component of the CA, it follows that the identified negative effects to the listed building would also harm the positive qualities of the CA as a whole. Not only would it be a discordant addition to the building, but it would also erode the harmony of the character and appearance of the CA, given the lightwell's degree of prominence. In these regards, the proposal would not preserve or enhance the character and appearance of the CA and thus harm its significance as a designated heritage asset.
19. Drawing the above together, I find that the proposal would not i) preserve the Grade II listed building, or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the Stamford Conservation Area. In doing so, it would harm the significance of these designated heritage assets.

Public benefits and balance

20. With reference to paragraphs 214 and 215 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. Given the extent and fairly localised nature of the proposal, I find that the harm to the significance of the designated heritage assets assessed above would be 'less than substantial' but nevertheless of considerable importance and weight. Paragraph 215 of the Framework requires this harm to be weighed against the public benefits of the proposal including, where appropriate, securing the asset's optimum viable use.
21. In this case, economic benefits would be delivered through the manufacture and installation phase of the proposal along with the general investment into the property. I also acknowledge that the proposal is seeking to remedy the cement render that was previously attached to the walls that were historically

internal to the building. It would also improve dampness issues and there would be thermal efficiency benefits and minimal maintenance. Nevertheless, I am not persuaded that similar benefits could not be achieved by a proposal which would be less harmful to the significance of these designated heritage assets.

22. Additionally, no compelling evidence is before me which confirms that the property would not be usable or viable in its current use as offices, or that its future would be at risk if the appeal was to fail and the works as proposed were not implemented. In these respects, the identified harm to the significance of the listed building and the CA has not been clearly and convincingly justified as required by Paragraph 213 of the Framework.
23. On balance, 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 of the designated heritage assets.
24. I therefore conclude that the proposal would not i) preserve the listed building, or any features of special architectural or historic interest which it possesses, and ii) preserve or enhance the character or appearance of the CA. It would therefore fail to satisfy the requirements of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.
25. It would also conflict with Policies DE1 and EN6 of the South Kesteven District Local Plan 2011-2036 (adopted 2020), and Policy 8 of the Stamford Neighbourhood Plan 2016-2036 (2022). These policies, amongst other things, seek to protect and enhance heritage assets and their settings, and ensure development contributes positively to the local distinctiveness, vernacular and character of the area.

Other Matters

26. The appellant states that there was no objection to the proposal from Historic England. I also note the letter of support from an interested third party. Nonetheless, these are neutral considerations and therefore do not weigh in favour of the proposal.
27. The appellant has raised concern regarding the Council's procedure with dealing with enforcement issues and the application for listed building consent. However, that is not a matter for my consideration in the context of this appeal decision.

Conclusion

28. Given the above and considering all matters raised, the appeal is dismissed.

H Smith

INSPECTOR