



Appeal Decision

Site visit made on 8 December 2024

by A Hartley LLB (Hons) Solicitor MBA

an Inspector appointed by the Secretary of State

Decision date: 23 January 2025

Appeal Ref: APP/E2530/D/24/3351960

10 High Road, Manthorpe, Lincolnshire NG31 8NF

- 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 David McMullan against the decision of South Kesteven District Council.
 - The application Ref is S23/2315.
 - The development proposed is for the erection of a timber frame carport/garage and the conversion of the existing detached outbuilding to form a residential annexe.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of a timber frame carport/garage and the conversion of the existing detached outbuilding to form a residential annexe at 10 High Road, Manthorpe, Lincolnshire NG31 8NF in accordance with the terms of the application reference S23/2315 subject to the following 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:

Drawing Numbers 1343.6, 1343.6A, 1343.1, 1343.4, 1343.5, 1343.5A
 - 3) The development hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 10 High Road, Manthorpe, Lincolnshire NG31 8NF.

Application for Costs

2. An application for costs was made by Mr David McMullan against South Kesteven District Council and this will be the subject of a separate Decision.

Preliminary Matters

3. The proposal is within the setting of a listed building¹ (the appeal property). Section 66 of the Act applies. Accordingly, I have had special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses.

¹ 1235941

4. The proposal is within the Manthorpe Conservation Area (MCA). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) applies. Accordingly, I have had special regard to preserving or enhancing the character or appearance of the MCA.
5. The National Planning Policy Framework (the Framework) has been updated since the appeal representations were made. However, as the revisions do not affect the matters under consideration in this appeal, (other than paragraph references) it was not considered necessary to seek further comment.

Main Issues

6. The main issues are the effect of the proposal on (i) the setting of the listed building and (ii) the character or appearance of the MCA.

Reasons

Designated Heritage Asset - Setting of Listed Building

7. The appeal property is seen within a group of similar semi-detached former estate cottages, now houses, set back from the road frontage with small front gardens and low front boundary enclosures. The appeal property is in an elevated position from the road. It has been extended to the side and is at the end of the group. It has a driveway at the side to a garden at the rear. The plot is approximately 75 metres in depth. Within the rear garden is a paved patio area, and two single storey outbuildings, one is a small garden shed, the other a more substantial size currently used an office and garage. An area of open garden then extends to the rear of the two outbuildings.
8. The appeal property is one half of a pair of semi-detached former estate cottages, of Mid. 19th century with 20th century additions. They are of brick with pantile roof and retain some historic architectural detailing. Their historic significance comes from their connection to the Belton Estate, in that they were provided by the Brownlow family as estate worker cottages.
9. The appeal proposal would introduce a garage at the end of the open rear garden. Although within its setting, it would be some distance from the listed building and would not be seen within the vista of the listed building when viewed from the public road.
10. The physical alterations to the office and garage building are limited and comprise the removal of the garage door on the east elevation to be infilled with facing brickwork to match the existing and bifold doors to be installed in the west elevation.
11. Having regard to the above, I find that the proposed development would have a neutral effect on the setting of the listed building.
12. Consequently, the setting of the listed building would be preserved, and the proposal therefore complies with policy EN6 of the South Kesteven District Council Local Plan (2020) (LP) in so far as relevant.

Designated Heritage Asset – Conservation Area

13. The MCA covers an area encompassing almost the whole of the village of Manthorpe. Its significance in so far as relevant to this appeal, is its historic

association with the nearby Belton House, with many of the properties retaining a 19th Century estate character. Buildings are predominantly of red brick construction, under pantiled roofs, with some use of stone. The group of cottages on High Road are notable for their elaborate decorative chimneys.

14. Given the above I find that the significance of the MCA, in so far as it relates to this appeal, to be primarily associated with the architectural and historic interest of its buildings and this directly contributes to its special interest for the reasons given.
15. The appeal property is visible from the public highway and thus contributes positively to the significance of the character or appearance of the MCA through its architectural detail and historic connection to the Belton Estate.
16. The proposed changes to the office and garage outbuilding would be limited and the proposed new garage would not readily visible from the public road or harm the significance of the listed building through development within its setting. As such the proposed built development would have a neutral impact on the significance of the MCA.
17. Consequently, the character or appearance of the MCA would be preserved, and the proposal would comply with policy EN6 of the LP, in so far as relevant.

Granny Annexe

18. As part of the appeal proposal, the garage/office outbuilding as altered would include all the facilities for day to day living and be self-contained. It would share a driveway and garden and would be close to the main dwelling. It is proposed to be occupied by the mother of the occupant of the main dwelling to serve as an annexe.
19. The Council is concerned that if the outbuilding were used as a separate dwelling, this could adversely affect the character of the area by subdividing the existing plot. The plot currently forms part of the setting of the listed building and contributes to the significance of the MCA by reason of its historic association as a 19th century estate cottage with a generous depth of rear garden. These features are common within the group of estate cottages on High Road. I find that its sub-division would not preserve the setting of the listed building or the character or appearance of the MCA. However, the appeal proposal is for an annexe and provided that a condition is attached to restrict the use for purposes ancillary to the residential use of the main dwelling, any future sub-division or use as a separate dwelling would require planning permission.

Planning Balance

20. Overall, I find that the appeal proposal preserves the setting of the listed building and the character or appearance of the MCA. The evidence before me suggests that the garage/ office outbuilding element of the appeal proposal is intended to be used as an annexe for the mother of the occupant of the main dwelling. The Council's concern that as the annexe would contain all the facilities for day to day living there is potential for the creation of a separate dwelling in the future is not substantiated in the evidence. It is not the proposal before me. However, as subdivision of the appeal site to create a separate, independent dwelling would not preserve or enhance the character or appearance of the MCA or preserve the setting of the listed building, I find it would be necessary to make the proposal

acceptable to attach a condition restricting the use of the development for purposes ancillary to the use of the main dwelling.

Conditions

21. I have had regard to the conditions proposed by the Council. I have imposed a condition specifying the approved plans as this provides certainty; a condition restricting the occupation of the annexe to residential use ancillary to the appeal dwelling as this provides certainty, preserves the setting of the listed building and the character or appearance of the MCA. I have not imposed a matching materials condition as the details are shown on the approved plans.

Conclusion

22. For the above reasons, having regard to all representations made, I conclude that the proposal complies with the development plan as a whole and with the provisions of the Framework. Therefore, the appeal should be allowed.

A Hartley

INSPECTOR