



Appeal Decision

Site visit made on 15 January 2025

by **M Woodward BA (Hons) PgDip MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 January 2025

Appeal Ref: APP/E2530/W/24/3348778

The Old Post Office, 5 High Road, Barrowby, Grantham, Lincolnshire NG32 1BH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Jonathon King (K-Develo) Limited against the decision of South Kesteven District Council.
 - The application Ref is S24/0561.
 - The application sought planning permission for change of use from commercial to residential. Converting the Old Post Office back to a residential dwelling, including internal and external alterations without complying with a condition attached to planning permission Ref S23/1162, dated 4 October 2023.
 - The condition in dispute is No 4 which states that before any part of the development hereby permitted is occupied/brought into use, all external finishes shall have been completed to match in material, colour, style and texture those of the existing building.
 - The reason given for the condition is: To ensure a satisfactory appearance to the development in the interests of the visual amenities of the area and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.
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Decision

1. The appeal is allowed and planning permission is granted for the change of use from commercial to residential. Converting the Old Post Office back to a residential dwelling, including internal and external alterations at The Old Post Office, 5 High Road, Barrowby, Grantham, Lincolnshire NG32 1BH in accordance with application Ref 24/0561 without complying with a condition attached to planning permission Ref S23/1162. Planning permission is granted subject to the following conditions:
 - 1) Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the property other than those expressly authorised by this permission shall be carried out.
 - 2) Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no building, enclosure, swimming or other pool or container used for domestic heating purposes shall be constructed within the curtilage of the dwellinghouse.

Preliminary Matters

2. The planning application form lists the property address as 'Barrowby Post Office' but most other documents, including the Council's decision notice, refer to it as 'Old Post Office'. I have proceeded on the basis of the latter.
3. The planning application form refers to condition 6 but the subsequent decision notice issued by the Council refers to condition 4. Notwithstanding this, the planning application form along with the evidence accompanying this appeal makes it clear that the proposal is to change the materials as previously approved under the original planning permission¹. It logically follows that this matter more closely relates to condition 4, as opposed to condition 6 which concerns the removal of permitted development rights. Furthermore, the appellant raises no objection to the disputed condition as amended, and I have therefore decided to determine the appeal on the basis that it relates to condition 4.
4. The development has already taken place. In the absence of detailed plans showing the proposed changes, I have determined the appeal based on the situation on the ground.
5. As the proposal is in a conservation area, I have had special regard to section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

6. The main issue in this case is whether the development preserves or enhances the character or appearance of the Barrowby Conservation Area.

Reasons

7. The appeal site lies within the Barrowby Conservation Area (CA). The CA is composed of relatively enclosed village streets fronted by buildings which vary in terms of their age, style and construction materials. Along with several prominent period properties, the presence of traditional materials woven into the built form throughout the CA ensures a degree of harmony. These characteristics enrich its historic and architectural interest, contributing to the significance of the CA.
8. According to the appellant's photographic evidence (which is uncontested by the Council), immediately prior to this development the façade was mostly rendered and dominated by a modern and inelegant uPVC shop front unit at ground floor, with a centrally positioned traditional timber framed window at first-floor level. The Council asserts that timber windows and doors were once in situ, but there is nothing before me to indicate that the modern materials that replaced them in association with its retail use were unauthorised, nor do the Council present such a case.
9. As such, for the purposes of this appeal, the building's verified previous appearance is relevant in determining the contribution it made to the significance of the CA. It further illustrates that the significance of heritage assets is not static, and there has been apparent wider degradation of historic fabric and character over time, as evidenced by modern, synthetic window insertions which are readily visible in the street, including within the adjoining building.

¹ Planning permission reference - S23/1162

10. Nevertheless, the CA includes noteworthy examples of historic architecture and traditional fenestration. Therefore, the building's previous qualities relating to its overall form, use of historic materials and traditional first floor window amounted to a small measure of intrinsic historic interest. As redeeming features of an otherwise discordant façade, and when calibrated against the varied fenestration style and appearance of buildings close by, the appeal building made a very limited contribution to the significance of the CA indeed.
11. As far as the development is concerned, the replacement of an incongruous shop front with separate and smaller window and door features has resulted in a consolidated fenestration arrangement, whereby the insertions are modest and proportionate in scale, in keeping with the dwelling's humble character. In comparison with its previous appearance, the façade is more symmetrical, balanced and restrained, aided by the muted green colour of the windows and door.
12. These positive changes are offset by the installed upper floor window, which is of bulkier form, with a modern design aesthetic, clearly inferior to its predecessor. The ground floor alterations are also not in keeping with the traditional characteristics of the CA. However, when considering the alterations in their entirety and in context, the effect on the significance of the CA is neutral.
13. I appreciate that the extant planning permission, which involved traditional windows and door replacements, may have been seen as a positive enhancement to the CA had it have been implemented in its entirety. Be that as it may, the statutory test set by Section 72 of the Act requires that the character and appearance of the area is at least preserved. Due to the circumstances of this case, I find, on balance, that the development preserves the character and appearance of the Barrowby Conservation Area as a whole.
14. Therefore, the development accords with Policies DE1 and EN6 of the South Kesteven Local Plan 2011-2036 (2020) which requires, amongst other matters, that proposals should not have an adverse effect on the streetscene and be of an appropriate scale and material given the context of the area, and that proposals which conserve the significance of assets are considered favourably. The development also accords with the Framework insofar as it sustains a heritage asset.

Other Matters

15. The Council raises no objection to the rendering and other materials used to facilitate the conversion. In this regard, I agree that no harm to the CA has arisen.

Conditions

16. I have considered the conditions which made up the previous decision notice as well as those suggested by the Council. However, a condition relating to the commencement of development is not needed since the development has clearly commenced. For the same reason I do not consider that a condition concerning the submitted plans is necessary in this case. Conditions relating to the removal of permitted development rights in relation to enlargements to the building and development within the curtilage are necessary to protect the living conditions of the nearest occupiers and the character and appearance of the area.

17. In relation to condition 4 of the original planning permission, which required external finishes to match those in the existing building, this is not necessary as I find that the materials that have been used in the development to be acceptable. I will, therefore, issue a new decision with the condition removed, along with conditions set out above.

Conclusion

18. For the reasons set out above I conclude that the appeal is allowed.

M Woodward

INSPECTOR