



Appeal Decision

Site visit made on 6 June 2025

by **R C Shrimplin MA(Cantab) DipArch RIBA FRTPI FCIArb MCIL**

an Inspector appointed by the Secretary of State

Decision date: 19 June 2025

Appeal Reference: APP/E2530/D/25/3364572

24 Scotgate, Stamford, Lincolnshire PE9 2YQ

- 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. J. Monahan against the decision of South Kesteven District Council.
 - The application reference is S24/1734.
 - The development proposed is a “First Floor extension of garage and conversion to annexe”.
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Decision

1. The appeal is dismissed.

Preliminary point

2. The “Description of Proposed Works” that is given in the planning application form is very extensive and it includes explanatory material. Notwithstanding this description, therefore, the nature of the proposal can more clearly and succinctly be expressed as set out in the Council’s decision notice and in the appeal form, as “First Floor extension of garage and conversion to annexe”. That is the description that I have adopted in the banner heading, above.

Main issue

3. The main issue to be determined in this appeal is the effect of the proposed development on the residential amenities of neighbours (whether unacceptable harm would be caused by overbearing appearance or overshadowing).

Reasons

4. Scotgate is one of the main roads leading into the centre of Stamford and is lined with interesting and historic buildings alongside the highway footpath. It is within the Stamford Conservation Area, which covers the historic centre of the town.
5. Number 24 Scotgate is a substantial dwelling, entered directly from the pedestrian footpath. It is constructed of stone in a subdued classical style and is an important element in the streetscene. The house has a long back garden, rising away from the rear of the building towards Rock Road, which links to West Street and provides access to the rear of properties in Scotgate. Number 24 has a modest garage building at the rear of its plot, opening off Rock Road, which is at a markedly higher level than Scotgate, as a result of the natural fall in the land.
6. Several of the properties in Scotgate have garages or other outbuildings opening off Rock Road but there is a separate small development at the eastern end of

Rock Road, at its junction with West Street. Here, a development of three dwellings in a small terrace has been built, at Rock Court. These have small gardens that back onto part of the side boundary of number 24 Scotgate. The existing modest garage building at the rear of number 24 Scotgate also stands at a higher level than these gardens.

7. It is now proposed to add a first floor extension to the garage building and to convert it to form an “annexe” to the main house.
8. The ‘National Planning Policy Framework’ emphasises the aim of “achieving well designed places” in the broadest sense (notably at Section 12), while making effective use of land and encouraging economic activity. It is aimed at achieving good design standards generally, by adding to the overall quality of the area and being visually attractive and sympathetic to local character and history, although it is also recognised that appropriate change may include increased densities. The achievement of good design includes protecting existing residential amenities and providing good standards of accommodation in new development.
9. Policies in the Development Plan also share these basic principles. Notably, Policy DE1 of the South Kesteven District Council Local Plan (dated January 2020) is concerned with “promoting good quality design” and it includes a specific provision to ensure that new development should not have an adverse impact on the amenities of neighbouring users. Similarly, Policy 2 in the Stamford Neighbourhood Plan (dated July 2022) includes an aim to “safeguard the amenities of residential properties in the immediate locality” of proposed development.
10. Within the Conservation Area, broad design considerations are especially important and the primary legislation (reinforced by Policies in the Development Plan) make it clear that decision makers are required to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas affected by development proposals.
11. In this case, the proposed first floor extension to the existing garage building (in association with the building’s conversion) would have only a very limited effect on the character and appearance of the Stamford Conservation Area (or the wider surroundings), in design terms. Thus, it would essentially preserve the character and appearance of the area, in my view.
12. The project would, however, have a direct impact on the living conditions of the dwellings at Rock Court. The back gardens and ground floor of these houses are set at a significantly lower level than the existing garage and the highway in Rock Road, and the proposed first floor extension would further dominate the rear part of these properties. Both the eaves and the ridge of the building would be raised by comparison with the existing garage and the flank wall would be uncomfortably close to the rear of the houses at Rock Court.
13. I am convinced that the proposed development would have a very significantly adverse impact on the outlook from Rock Court and that, being located to the west of the terrace, the finished building would overshadow its gardens to a marked degree. The proposal would, indeed, result in significant harm to the residential amenities of the occupiers of the dwellings at numbers 1, 2 and 3 Rock Court and it would clearly conflict with the Development Plan, as well as with national planning policies.

14. I am conscious that planning permission has previously been granted for a scheme that would have been very similar to the current proposal, although that permission has lapsed. Even so, I must judge the proposals as they come before me and I do not share the opinion of that previous decision-maker.
15. I am also cognisant of the fact that the appeal site lies within an established urban area, which is “sustainable” in planning terms, and that the proposed development would make a useful addition to the existing house. Nevertheless, I am convinced that the harm that would be done to the amenities of residential neighbours clearly outweighs the benefits of the project. Hence, I have concluded that the scheme before me would conflict with both national and local planning policies (including the Development Plan) and that it ought not to be allowed. Although I have considered all the matters that have been raised in the representations, I have found nothing to cause me to alter my decision.

Roger C. Shrimplin

INSPECTOR