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## Appeal Decision

Site visit made on 4 November 2025

**by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 18<sup>th</sup> November 2025**

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**Appeal Ref: APP/Y2003/D/25/3370319**

**3 Manchester Square, New Holland DN19 7RQ**

- 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 Mrs Elizabeth Ascher against the decision of North Lincolnshire Council.
  - The application Ref is PA/2025/48.
  - The development proposed is the erection of a breeze block outbuilding.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. The description of development in the banner heading above is taken from that contained on the Council's decision notice, as it is more concise and accurate than the description on the planning application form.
3. Since the development has been carried out, retrospective planning permission has been sought. The appellant contends that she has followed the rules with regard to the size and height of the outbuilding with apparent reference to permitted development criteria<sup>1</sup>. However, permitted development rights for outbuildings do not apply to land associated with a listed building and planning permission is therefore required. I have determined the appeal on that basis.

### Main Issues

4. The main issues in this appeal are i) whether the proposal would preserve the setting of a Grade II listed building and ii) whether it is acceptable in terms of flood risk and drainage.

### Reasons

#### *Special Interest and Significance*

5. The appeal site comprises a modest 2-storey dwelling forming part of a wider terrace designated as a Grade II listed building<sup>2</sup>. Although the appellant considers that the building does not warrant listing, it is nonetheless listed. Therefore, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
6. Constructed of brick under a slate roof, the terrace was constructed in 1849-1850 by the Sheffield and Lincolnshire Railway Company. It frames the northern edge of

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<sup>1</sup> Class E, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

<sup>2</sup> National Listing Description for Manchester Square, 1-11, Barrow Road.

the open green space of Manchester Square, with similar terraces to the east and south. The terrace contains repeated house types that provide a strong, uniform character to the front, enhanced by architectural detailing including wooden eaves board gutters on moulded brackets, 6/6 sash windows with projecting cills and cambered brick lintels, and moulded ashlar hoods above the entrance doors.

7. The significance of the listed building therefore arises from its historic interest and aesthetic composition. Poor quality alterations and extensions to the rear elevations/within the rear yards have already harmed the aesthetics of the listed building, thereby eroding its significance to a degree. Nonetheless, it retains evidential value as a heritage asset. Its significance also stems to a degree from its setting which is the environs in which it is experienced. This comprises residential development including the yard areas to the rear and the verdant open space to the front.
8. The listed building including the appeal site, is visible from within Manchester Square and Barrow Road, particularly when the trees are not in leaf. As a component part of the wider terrace, the appeal site makes a positive contribution to the significance of the listed building and the character of the wider area more generally, despite not being within a Conservation Area.

#### *Impact of the Development*

9. The development comprises a detached single storey outbuilding of breeze block with a mono-pitched metal roof. Although not attached to the listed building, due to its size and siting the outbuilding largely fills the rear yard, eroding the outdoor space and obscuring most of the ground floor rear elevation of the dwelling.
10. Breeze block, due to its large scale, texture and colour is a poor-quality modern material, that appears in stark contrast to the small red bricks laid in a Flemish bond in the host building. Although painted cream to match the colour of the ground floor rear wall, the light colour appears stark against the muted tones of other rear boundary treatments and outbuildings. The paint does not disguise the construction material, which remains evident. Even if a fence was to be erected around the outbuilding, the upper section including the boxy eaves and box profile roof sheeting, would remain visible. Render or timber cladding would not mitigate the harmful size and scale of the outbuilding.
11. Furthermore, the blue box profile roof with bulky eaves detailing has an industrial appearance. It is therefore different to the modern fibre cement cladding typically found in domestic settings. Painting the roof black would not address its form and is unlikely to result in a high-quality finish befitting of a listed building, as the paint would weather and erode.
12. There is no evidence before me of the former condition of the rear yard, but it has not been demonstrated to me that there would not be less harmful ways to improve the appearance of the outdoor space. I consider that the development is harmful due to its unsympathetic form, materials and size.
13. Even if the rear alleyway is private, I observed the outbuilding from Barrow Road. It is also visible from other dwellings within the terrace. In such views, the outbuilding stands out as an incompatible and dominant form of development. Other outbuildings are smaller in scale and of differing materials, such that they do not dominate their particular yard, nor compete for attention with the listed building.

14. Both parties state that the dwellings originally had outbuildings to the rear. Be that as it may, there is no indication that the current outbuilding is consistent with any historical outbuilding in terms of size, form, materials and design.
15. I acknowledge that existing alterations and extensions have eroded the terrace's rear elevation. However, that does not justify further poor-quality development that also harms the setting and significance of the listed building.
16. For these reasons, the proposal would fail to preserve the setting of the listed building, causing harm to the significance of the designated heritage asset.

#### *Public Benefits and Balance*

17. Paragraph 212 of the National Planning Policy Framework (the Framework) requires great weight to be given to the conservation of heritage assets, regardless of the level of harm. Consistent with that approach, paragraph 213 sets out that any harm to, or loss of, the significance of a designated heritage asset including from development within its setting, should require clear and convincing justification.
18. Given the extent and nature of the development, the harm here is moderate and 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.
19. Although the outbuilding may provide valuable storage space, this is a private benefit to the occupants of the dwelling. No public benefits have been advanced by the appellant. Therefore, the considerable importance and weight given to the harm to the significance of the listed building, is not outweighed by any public benefits.
20. The proposal fails to preserve the special interest or significance of the listed building, with particular regard to its setting. This conflicts with the statutory duty under section 66(1) of the Act. The harmful impact is also contrary to Policies CS5 and CS6 of the North Lincolnshire Core Strategy (CS) 2011 and Policies HE5 and DS1 of the North Lincolnshire Local Plan (LP) 2003. Together these policies require all new development to be well-designed and to protect, conserve and enhance the character and setting of areas of acknowledged importance including historic buildings.

#### *Drainage/Flood Risk*

21. The appeal site is located within flood zone 3, which is land with a high probability of flooding. Residential use is categorised as 'a more vulnerable' form of development in this context. No site-specific flood risk assessment has been provided and there is no comprehensive method for managing surface water drainage.
22. The Lead Local Flood Authority advises that the appeal site has the potential to face up to 900mm of flooding under flood risk from the tidal variations of the River Humber which lies 600m to the north. In the absence of a site-specific FRA, there is no evidence of the actual risk of flooding to the development or neighbouring properties. The appellant's assertion that the building has stood for a year without incident, does not amount to substantive evidence that the development will be

safe in the event of a flood. It seems to me that the presence of a sizeable building versus an open yard, would have very different consequences for floodwater.

23. Rainwater from the outbuilding roof is said to drain into a water butt and then into the rear alleyway. However, it is unclear whether this arrangement adds to surface water runoff or connects to an existing drainage system. Without specific details of how surface water drainage would be dealt with, I cannot be satisfied that the development will not exacerbate flood risk to the appeal site and neighbouring properties which form a heritage asset protected in the national interest.
24. For the above reasons, it has not been demonstrated that the development is acceptable with regard to flood risk and drainage. The proposal therefore conflicts with Policy CS19 of the CS and Policies DS14 and DS16 of the LP which amongst other things, require the provision of a flood risk assessment to demonstrate that the development will be safe without increasing flood risk elsewhere that would be harmful to people and buildings.

### **Other Matters**

25. Listed buildings can be upgraded to meet modern day living standards without removing features of architectural and historical importance. Listing does not prevent works from taking place but ensures there is control over the works in order that they preserve or enhance the building's special qualities in the national interest. Materials such as plastic and concrete are rarely appropriate for listed buildings or their grounds. Traditional materials such as timber, brick and slate are often more environmentally friendly and durable, particularly if they are maintained.
26. Retaining the original features of historic buildings is important for cultural, economic, environmental, and educational reasons. These features provide a tangible link to the past and contribute to the unique character and identity of a community. The sensitive renovation of historic buildings is essential in ensuring that the nation's history and culture are not forgotten. If buildings are not maintained, the need for more extensive repairs will be more costly than if smaller problems are dealt with earlier on. Whether money was spent on the expensive outbuilding rather than repairs to the listed building is a matter for the appellant.
27. I must determine the appeal before me based on the development and evidence provided. It is therefore beyond my remit to suggest whether the building should be altered. Any discussions regarding an amended scheme, as well as the handling of the application are a matter for the parties.
28. Support for a proposal does not indicate a lack of harm and I have set out above why the proposal does not preserve the setting of the listed building. I note that there is also an objection to the development from New Holland Parish Council.

### **Conclusion**

29. The development conflicts with the development plan and there are no material considerations that indicate a decision should be made other than in accordance with it. For the reasons given, I conclude that the appeal should be dismissed.

*M Clowes*

INSPECTOR