



Appeal Decision

Site visit made on 21 October 2025

by D M Love BA(Hons) PGCert MRTPI PISEP

an Inspector appointed by the Secretary of State

Decision date: 20 November 2025

Appeal Ref: APP/Y2003/W/25/3370994

J. W. Stamp and Son, Holydyke, Barton-upon-Humber, North Lincolnshire DN18 5PS

- 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 and Mrs Rodney Stamp of J.W. Engineering and Son against the decision of North Lincolnshire Council.
 - The application Ref is PA/2022/2020.
 - The development proposed is part demolition and conversion of an existing engineering workshop to form seven townhouses, including creation of a new access onto Chapel Lane and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted reports relating to surface water drainage and heritage preservation into the appeal that were not before the Council at the time they made their decision. Given they were submitted at the start of the appeal process the Council would have had the opportunity to seek the views of consultees. I have accepted these documents into the appeal process.

Main Issues

3. The main issues in the determination of this appeal are:
 - the effect of the proposal on the Non-Designated Heritage Asset (NDHA) known at Stamps Barn and whether it would preserve or enhance the character or appearance of the Barton-upon-Humber Conservation Area (CA);
 - the level of information pursuant to secure the preservation by record of the archaeological significance of the historic building and application site; and
 - whether an acceptable Sustainable Drainage System (SuDS) can be delivered as part of the proposals.

Reasons

Character and Appearance

4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires the decision maker, in considering whether to grant planning permission for development which affects a CA to have regard to the desirability of preserving or enhancing the character or appearance of a CA.

5. The appeal building is recognised by the Council as a NDHA within the Barton-upon-Humber CA. It is a long stone built two storey building currently used as a workshop in a rectangular plot sat perpendicular to Chapel Lane and Holydyke with vehicular access off the latter. It's unique position in relation to the wider area enforces its importance to the understanding of the CA.
6. The proposal seeks to convert the building into seven individual town houses with several new openings in the main fenestration. There would also be the demolition of some ancillary structures.
7. Although the general rectangular form of the building would be retained with a hip roof at one end and gable the other and the conversion would benefit the building's longevity, this needs to be done sensitively as per Policies DS1 and HE9 of the North Lincolnshire Local Plan (NLLP) and Policies CS5 and CS6 of the North Lincolnshire Local Development Framework Core Strategy adopted June 2011 (CS). The proposal seeks to add several new top-curved openings in the main fenestration which are alien to the building and would lose the historic character of the original barn. Whereas I accept that some new openings would be required for a successful conversion I find the number of new openings and the curved detailing would detract from the original character of the building losing its heritage and appearing as specific built townhouses as opposed to retaining some semblance of its agricultural/ industrial past. It is the number and treatment of these new openings that would result in an unacceptable level of harm to the building detracting from its historic appearance and thus harming the CA.
8. With respect to the wider CA the building is recognised as being of 'townscape merit' within the Barton Conservation Area Appraisal (CAA) surrounded by other buildings of merit and a scattering of listed buildings. The building is quite prominent given it sits perpendicular to Holydyke and Chapel Lane, whereas most other buildings are parallel. An insensitive conversion of this building would detract from the immediate surrounds, if not the wider CA, causing some harm to the character and historic interests especially given the building's appearance provides a nod to the history of the wider area. Given the CAA specifically refers to the unique orientation of this building and its importance to the history of Holydyke I find that the proposal would cause an unacceptable level of harm.
9. The development would fail to preserve the appearance of the CA, contrary to the desirability of the preservation or enhancement of which I am required to pay special attention. Instead, it would undermine its architectural and historic significance by virtue of the additional new openings and their style. It would conflict with Policies DS1 and HE9 of the North Lincolnshire Local Plan (NLLP) and Policies CS5 and CS6 of the CS. These require development to preserve or enhance the character and appearance of conservation areas and to conserve features which contribute to their significance, to respect the character of existing and adjoining buildings and not to disrupt any uniformity, patterns or rhythms that contribute positively to Barton-upon-Humber's distinctive townscape. The potential public benefit would see the longevity of the building, otherwise any benefit would be private. I consider that this would result in less than substantial harm but that the public benefit would not outweigh this harm.

Archaeological Recording

10. The building lies within the CA and is surrounded by various buildings of merit. The Council has identified that an archaeological Written Scheme of Investigation (WSI) is required prior to the grant of permission. This is a requirement of Policy HE9 of the NLLP.
11. Having reviewed the updated information I find that this matter could have been dealt with via a planning condition should the appeal be successful. I find that a condition approach would satisfy the requirements of Policy CS6 of the CS, Policy HE9 of the NLLP and paragraph 218 of the National Planning Policy Framework (NPPF).

Surface Water Drainage

12. The appellant has provided a Flood Risk Assessment/ Drainage Strategy dated September 2023 which has raised no objection from the Lead Local Flood Authority (LLFA). They do however suggest a planning condition to secure a sustainable drainage system (SuDS).
13. However, Anglian Water objected to the proposal on grounds that there is insufficient capacity in their network to readily accept this proposal. They suggest a planning condition should the development be granted planning permission.
14. I find that despite Anglian Water's position their suggested planning condition approach would be consistent with Policy DS14 of the NLLP which does allow for conditions to secure SuDS. Neither the LLFA nor Anglian Water have said that SuDS cannot be achieved on site with the former requesting a formal consultation directly from the appellant. I find a planning condition would resolve the matter of surface water drainage and satisfy Policy DS14 of the NLLP and paragraph 182 of the NPPF.

Other Matters

15. The Council is unable to demonstrate a 5-year housing land supply and therefore a presumption in favour of sustainable development applies. I have had regard to the appellant's reference to a separate appeal case however this was made in outline where parallels are difficult to draw.
16. With reference to paragraph 11 d) of the NPPF, an exception is provided where policies in the NPPF that protect assets of particular importance provide a clear reason for refusing the proposal. Footnote 7 establishes that this includes designated heritage assets. I have found that the proposal would harm the character and appearance of the CA. It would therefore not accord with the NPPF. Consequently, those policies provide a clear reason for refusing the development proposed.

Conclusion

17. In conclusion, the proposal would conflict with the development plan and there are no other material considerations, including the NPPF, that outweigh this conflict. Therefore, the appeal should be dismissed.

D M Love

INSPECTOR