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## Appeal Decision

Site visit made on 10 December 2025

**by Ann Veevers BA(Hons) PGDip(BCon) MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 06 January 2026**

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**Appeal Ref: APP/N2535/W/25/3367019**

**Moortown House Farm, Brigg Road, Moortown, Market Rasen, Lincolnshire  
LN7 6JA**

- 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 Kerr against the decision of West Lindsey District Council.
  - The application Ref is WL/2024/00698.
  - The development proposed is described as 'erection of a single storey 6-bedroom holiday let within existing walled garden'.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Moortown House Farm is a Grade II listed building referred to on the National Heritage List for England as: 'Moortown House'<sup>1</sup>. The appeal site comprises land within the historically associated walled garden of Moortown House. From the evidence before me, there is no disagreement between the main parties that the remaining two brick walls of the walled garden and the attached former coach house are curtilage listed buildings. Consequently, I have determined the appeal on this basis. As required by section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have had special regard to the desirability of preserving the buildings or their settings or any features of special architectural or historic interest which they possess.

### Main Issues

3. The main issues are:
  - whether the proposal would preserve the setting of the Grade II listed building Moortown House (the House); and,
  - whether the appeal site is a suitable location for the proposal having regard to relevant local policies relating to development in the countryside.

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<sup>1</sup> List Entry Number: 1063440.

## Reasons

### *Listed building*

#### Special Interest and significance

4. Dating from the early 19th Century, the House is a country house of two storeys. It is constructed of brick and stucco and exhibits typical Regency architectural features including multi-paned sash windows, proportions, and polite symmetry, particularly to the front façade. Despite alterations and extensions made to the building during the 20<sup>th</sup> century, through its proportions, style and material, the building retains its authenticity and coherence as a good example of a 19<sup>th</sup> century country estate residence.
5. From the evidence before me, the special interest and significance of the House are largely derived from its historic and architectural interest. Its surviving historic fabric, traditional construction and materials and its purported association with Sir Joseph Paxton are important contributors in this regard. So too is special interest drawn from the building's architectural aesthetic that reflects the building's prominent status and evolution over time. The House is now used as a holiday let.
6. Of particular relevance to the appeal, special interest and significance also stems, in part, from the House's setting. It is surrounded by extensive gardens and landscaped grounds, including a walled garden and small lake. Evidence suggests the designed landscaped grounds and parkland surrounding the House is recognised as a site of interest on the Lincolnshire Historic Environment Record through its association with Sir Joseph Paxton as a pleasure ground associated with the estate. There are open views from the House to the south over the tennis court, formerly parkland, and beyond.
7. Between the House and the tennis court, and considered to be contemporaneous with the House, is an ashlar, octagonal stepped base and column Grade II listed 'Sundial at Moortown House'<sup>2</sup>. The list entry describes the sundial being listed for its group value only. While I note that the plate of the sundial has recently been replaced, the age, elegance, and positional prominence of the structure close to the front entrance of the House contribute to its special architectural and historical interest.
8. Roughly to the north of the house lies an assorted arrangement of brick outbuildings including a two-storey former coach house. This has an ancillary barn-like character, reflected in its wide opening through which a small horse-driven coach could be driven. A former walled garden extends westwards from the north-west corner of the coach house. Several large, corrugated sheet farm buildings also lie to the north of the House. I saw at my site visit that these were still in agricultural use.
9. The sweeping driveway and gardens are the main spaces where the House is experienced and which contribute considerably to both its significance as an asset, as well as the ability to appreciate that significance. Beyond this intimate space, the coach house and what remains of the undeveloped former walled garden have ostensibly maintained a spatial and functional relationship with the House.

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<sup>2</sup> List Entry Number: 1359778

10. Only the north and east walls of the walled garden remain, and some of their fabric has been lost which has somewhat compromised the historic form of the walled garden. Nevertheless, due to their age, remaining fabric and height, together with the western and southern tree lines and the remnant of the open grassed space between, ensures the historically designed walled garden is emulated. Overall, the remaining garden walls, the attached coach house and other brick outbuildings and surrounding wooded parkland provide a narrative to the historic development and operation of the estate and underpin the listed building's historic integrity. From the information before me, even if there is no emphatic evidence that the grounds of the House were designed by Sir Joseph Paxton, they, including the appeal site, make a considerable positive contribution to the setting and significance of the designated heritage asset, allowing appreciation of the building, its historic development, and the historic functioning of the estate.

#### Proposal and effects

11. The proposed 'L' shaped holiday let building would be single storey with a zinc and sedum covered flat roof. It would be glazed and timber clad and located in the north-west corner of the walled garden, close to the historic north wall. A former opening within this wall would be re-instated, providing pedestrian access to an eight-space parking area located outside the walled garden. An existing, largely grassed, track that runs from a farm track to the north of the House's complex to the proposed parking area would be 'stoned-up'.
12. The proposed building would result in the permanent loss of a large part of the open, undeveloped garden and would be a prominent feature. As a consequence, it would erode the legibility of the former walled garden as being historically ancillary to the House and disrupt the hierarchy of buildings and spaces within the setting of the listed building.
13. The proposed building would not be clearly seen when viewed from the House due to the distance and intervening coach house; and it would be no higher than the garden wall. However, the absence of a strong visual connection is not a determinative factor, as it is the physical form of the proposal and that would be harmful to the setting of the House, diminishing the positive contribution the undeveloped remaining walled garden makes to the assets' significance. Furthermore, due to the building's proximity to the wall, it would obscure a significant section of it. This would further diminish the importance of the curtilage listed wall and its historic functional link with the House, even if there was previously a glasshouse attached to the wall.
14. In addition, whilst I acknowledge a track runs along the outer edge of the northern garden wall which may have at some point in the past included stoned material, it is now predominantly grass. As a result of the location and length of the proposed track, and that the proposed parking area would encroach upon land that is currently vegetated, I find that cumulatively, these elements of the proposal would result in further fragmentation of the estate. The access and parking area would compete with, and detract from, the important contribution the walled garden and the wider parkland setting make to the significance of the listed building.
15. On this basis, even if the proposed holiday let building were of high quality materials and design, and a former opening within the wall was re-instated, the overall loss of green enclosure and the presence of parked cars in this location

would create a jarring feature within the setting of the House. Moreover, the proposal would create a clear separate residential section to part of the grounds of the House. Although the setting of a heritage asset is not fixed and can change and evolve over time, I find the proposal would sever the visual and functional relationship between the listed building and its historically associated walled garden, diminishing the legibility and authenticity of the site as a designed country house estate and adversely affecting its setting.

16. Although my attention has been drawn by the appellant to footings of a previous building within the walled garden, which I saw at my site visit, the building no longer exists. In any event, evidence suggests the footings are likely to be associated with previous glasshouses on the site related to the function of the land as a kitchen garden, not as a separate residential building as would be the case in this appeal.
17. Drawing all of the above together, I find that the proposal would harmfully diminish important attributes of the House's setting which would adversely affect how this designated heritage asset is experienced. In turn, it would lessen the positive contribution that its setting makes to its significance and the ability to appreciate that significance.
18. Insofar as related to this appeal, given the degree of separation, the appeal site does not contribute to the significance and special interest of the listed sundial. Accordingly, the proposal would not harm its setting and the effect on this listed building's significance would be neutral.
19. Nonetheless, in finding harm to the significance of the House, a designated heritage asset, the magnitude of that harm should be assessed. Planning Practice Guidance (PPG) requires the category of harm to be 'explicitly identified', and the extent of harm within that category to be 'clearly articulated'<sup>3</sup>. Given the nature and extent of the development and works, I find the harm to the significance of this Grade II listed building to be at the mid-point of the scale of 'less than substantial'. This carries considerable importance and weight.
20. Paragraph 215 of the National Planning Policy Framework (the Framework) advises that this harm should be weighed against the public benefits of the proposal, which includes securing the optimum viable use of the building.

#### Heritage balance

21. The proposal would be likely to bring investment and regular maintenance to the fabric of the listed building, including the garden walls and garden itself through income derived from the holiday let. This would be a heritage benefit. However, while in some circumstances conditions may be appropriate for securing heritage benefits, in this instance, there is insufficient certainty that the suggested condition to this end would meet the relevant tests and provide a suitable mechanism to ensure the delivery of such benefit. The absence of detail regarding purported repairs to dilapidated parts of the curtilage listed garden walls and the lack of a mechanism to secure the timely delivery of its restoration stated to be linked to funding arising from the appeal development therefore limits the weight to the public benefits from heritage conservation.

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<sup>3</sup> Paragraph: 018 Reference ID: 18a-018-20190723

22. It would be likely that the proposal would allow future occupants to appreciate the heritage value of the listed building and its wider parkland setting. Furthermore, the creation of wildflower and formal lawns and a kitchen garden could replicate the historic former use. Nevertheless, whilst I accept that risks of physical deterioration of heritage assets are best addressed through ensuring they remain in active use, that ought to be consistent with, rather than at the expense of, their heritage value which, in this case, would include an inappropriate residential building within a large section of the historic garden. I consider securing these benefits does not inevitably necessitate compromising on those qualities that are important to the listed building's significance. This tempers the weight afforded to this heritage benefit.
23. There would be economic benefits associated with the provision of holiday accommodation, which would potentially satisfy the identified demand for large group holidays and provide income and employment as part of a rural business and farm diversification. The wider local economy would also benefit from increased tourist activity and shorter term economic benefits would be associated with the construction phase. This outcome would flow from the proposal and is of a nature to be of benefit to the public at large. Although these are positive benefits, even if there are no other buildings within the wider site that could be converted to provide visitor accommodation, from the evidence before me, I am not persuaded that similar public benefits could not otherwise be achieved on the site or within the local area without the extent of harm identified. This notably lessens the degree of weight attached to this public benefit.
24. Taking all the above factors together, given the relative minor scale of the proposal, the cumulative extent of public benefits would be modest, and I attribute them moderate positive weight.
25. Paragraph 200 of the Framework is explicit in its requirement that any harm to, or loss of the significance of a designated heritage asset should require clear and convincing justification, which, in all of the respects outlined above, I find not to be the case in the appeal before me. Overall, the moderate weight that I ascribe to the public benefits which would accrue from the proposal is not sufficient to outweigh the considerable importance and weight that I attach to the harm I have found.
26. Accordingly, I conclude that the proposal would not preserve the setting of the Grade II listed building Moortown House and would harm its significance. This would conflict with the statutory presumptions set out in section 66(1) of the Act. It would also be contrary to policy S57 of the Central Lincolnshire Local Plan (CLLP) insofar as it seeks to ensure new development protects the significance of heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of matters including scale, design, architectural detailing, materials, siting, layout, mass and use. There would also be conflict with the provisions of the Framework which seek to conserve or enhance the historic environment.

### *Location*

27. The appeal site is located in the countryside. Policy S43 of the CLLP relates to sustainable rural tourism and states that visitor accommodation in the countryside

will only be supported where it is demonstrated that one of three criteria are met. The appellant suggests the proposal would meet the requirements of policy S43(h) – that it relates to an existing visitor facility which is seeking redevelopment or expansion and is of a scale, form and design appropriate to its location.

28. Whilst the House is already in use as a holiday let and the proposal would provide additional visitor accommodation, for the reasons set out in the first main issue above, it would not be of a scale, form and design appropriate to its location since it would not preserve the setting of the listed building and would thus be harmful to its significance. Therefore, the proposal would not meet criterion (h) of policy S43. For the same reasons the proposal would not meet criterion (g) of Policy S43, nor would it meet criterion (f) because the proposal would be residential.
29. Consequently, the appeal site is not a suitable location for the proposal having regard to relevant local policies relating to development in the countryside. The proposal conflicts with policy S43 of the CLLP insofar as it seeks appropriately located tourism development.
30. The Council refer to policy S57 of the CLLP in relation to this main issue, but this policy relates to the historic environment and is addressed in the first main issue above. The Council also refer to a lack of need for a holiday let in the location of the appeal site. However, as neither policy S43 or S57 require an assessment of need, this matter is not determinative in my consideration of this main issue.

### **Other Matters**

31. I acknowledge that there was engagement with the Council prior to submission of the application and while the application was under consideration. However, I have dealt with the appeal on its planning merits based on the evidence before me and found it would result in unacceptable harm.
32. I have had regard to the representations made in support of the proposal and have addressed the matters raised in my consideration of the main issues. In any event, this is a neutral matter rather than one that carries positive weight in favour of the proposal.

### **Conclusion**

33. The proposal would conflict with the Act, the development plan and the Framework. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Accordingly, for the reasons given, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*Ann Veevers*

INSPECTOR