



Appeal Decision

Hearing held on 25 March 2026

Site visit made on 25 March 2026

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2026

Appeal Ref: APP/Y2430/W/25/3371537

Red Lion Inn, 2 Red Lion Street, Stathern, Leicestershire, LE14 4HS

- 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 & Mrs Wayne & Karen Hammond against the decision of Melton Borough Council.
 - The application Ref is 23/00999/FUL.
 - The development proposed is described as: '6 no. residential units comprising partial demolition of Red Lion Inn and conversion to a single dwelling, conversion of outbuilding to a single dwelling & construction of 4 no. new dwellings to the rear together with associated boundary treatments, parking & landscaping'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site lies within the Stathern Conservation Area. The site also lies close to the Grade II* listed building *Church of St Guthlac*¹ and the Grade II listed buildings *Church Cottage*² and *The Old Rectory (Number 8 and Attached Outbuilding)*³. I have therefore had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. There are also two Non-Designated Heritage Assets (NDHAs) in the vicinity of the site. These are: The Beeches, adjacent to the site and Red Lion Public House which forms part of the appeal site.
4. The Council accepted at the Hearing that there was no adverse impact on the living conditions of nearby residential properties and there was therefore no conflict with Policy H2 part (f). I have taken this into account in my assessment of the main issues.
5. The Red Lion Inn was last used as a pub in 2017, and the site has been vacant since. The pub and the car park are both listed as an Asset of Community Value (ACV).

Main Issues

6. The main issues are:

¹ List Entry Number: 1074997.

² List Entry Number: 1074998.

³ List Entry Number: 1360945.

- the effect of the proposal on the character and appearance of the local area including the effect on the setting of the nearby listed buildings, NDHAs and the extent to which it would preserve or enhance the character or appearance of the Stathern Conservation Area.
- the effect of the proposal on highway safety with particular regard to the provision of parking; and
- whether the proposal would be acceptable in terms of the housing needs of the village including with regard to housing mix.

Reasons

Character and Appearance

Special Interest and Significance – Conservation Area

7. The Stathern Conservation Area (the CA) extends over the historic core of Stathern. This part of the village tends to have a loose-knit form with buildings interspersed by open space, often with tree cover, including, in particular, the village recreation ground (playpark).
8. Traditional buildings here comprise of a reasonably high number of modest stone dwellings dating to the late seventeenth and eighteenth centuries, and brick buildings dating from the nineteenth century onwards. These are often much larger than the vernacular buildings of local stone with some fine examples of Georgian and Victorian neoclassical architecture, on larger plots. Pantiles are the characteristic roof covering within the CA with some slate present on more recent properties, typically dating to at least the nineteenth century. Roofs tend to be unbroken, although there are occasional examples of catslide or pitched roof dormer windows.
9. Principal elevations typically front the pavement edge and roads are often narrow, although the main through routes of Main Street and its adjoining Penn Lane are notably wider with more recent twentieth century infill development accessed from them. The Church of St Guthlac and its adjacent handsome Old Rectory, form a focal point of historic buildings within the village core and, owing to their comparative scale, set amongst the modest stone dwellings, are visible from several viewpoints across the CA.
10. There are a reasonably high number of surviving outbuildings constructed in the local vernacular materials and located to the rear of properties. Agricultural development lies to the fringes of the CA and there are several surviving traditional farm buildings present within building complexes.
11. The special interest and significance of the CA thus derive, in part, from the high number of traditional buildings, the visible presence of the Church of St Guthlac and the adjacent Old Rectory, the distinctive building materials, and the juxtaposition of the narrow, enclosed streets with open spaces. My assessment in this regard has been reinforced by the content of the Stathern Village Conservation Area Appraisal (1976).
12. Red Lion Street is a typically narrow street within the CA, although to its east side incorporates more modern twentieth century development set behind small front gardens. The Red Lion pub has an imposing presence along the street, lying at the

junction with Water Lane and fronting the road in the absence of any pavement to its west side. As a rendered building with brick detailing, it stands out alongside the stone and brick buildings that lie adjacent and makes a positive contribution to the streetscene and the CA as a whole. Parallel with its rear outrigger and to the opposite side of the access into the site is a stone and brick outbuilding that forms the boundary of the appeal site with Water Lane.

13. Water Lane is very narrow with a quiet, somewhat rural, character. It bounds the open space of the pub car park and the playpark beyond and includes a small yet varied range of dwellings set back varying distances behind vegetation along its length. The village school is located at its northern end and the open nature of the adjacent playpark provides a contrast with the enclosed feel created by the boundary walls and hedges of the adjacent gardens that front the road edge. Water Lane is dominated by the impressive architecture and imposing height and mass of the Old Rectory, dwarfing the nearby cottages. This is a highly visible building in views from the playpark, as well as from Main Street viewed across it, alongside the tower of the Church of St Guthlac. The playpark is thus an open area which facilitates views of the CA and provides a space within which to appreciate that area's significance.
14. The open space to the rear of the Red Lion was once partially developed through a range of outbuildings that included the surviving building that adjoins Water Lane, as evidenced by the extract of the 1930 OS Map. The rest of the site appears to have remained free from development over time. As set out above, through the low stone wall boundary wall, there are views into the car park of the rear elevations of the Red Lion from along its length. The lack of buildings on the site provides an open feel to this part of Water Lane which has a strong sense of enclosure punctuated by more open areas. In this respect it has a positive effect on the CA. However, it remains evident as a car park and its expansive tarmac surface has a negative effect on the character and appearance of the CA here.
15. Furthermore, whilst part of the site has remained undeveloped over time, owing to its comparatively small area, and, as a private rather than public space, the appeal site makes a much more limited contribution to the CA through its openness than the playpark or other areas of open space within the village. Moreover, views from the playpark across the appeal site are limited by the tree growth along the watercourse adjacent to the site boundary between these two areas. As such, the appeal site does not appear as an extension or element of the communal space of the playpark.

Special Interest and Significance – Listed Buildings

16. Lying within its well wooded churchyard, the Church of St Guthlac is raised above the surrounding buildings on Church Street behind a stone retaining wall. Constructed of local stone in the thirteenth century with later additions in the seventeenth and nineteenth centuries, the building exhibits fine craftsmanship in its Perpendicular tracery and stonework detailing. Due to screening from the churchyard trees, the building is not prominent along Church Street, however, its three stage west tower is a principal element within the core of the village with a high degree of visibility, rising above the surrounding rooftops and tree canopy.
17. Its special interest and significance derive, in part, from its considerable age and origins, communal history as a parish church, its surviving intact historic fabric and

thirteenth and seventeenth century architecture, and its location and prominence within the historic core of the village.

18. I am not directed to any historical or functional associations between the appeal site and the Church. The Red Lion and its car park nonetheless forms part of the surroundings within which the Church is experienced and there are views of the Church tower from the car park.
19. As the only building in the CA apart from the Church of St Guthlac to extend above two storeys the Old Rectory is highly prominent and the two buildings are generally seen together, contributing to each other's special interest in that regard. The special interest and significance of the Old Rectory, in particular, also derive from its architectural and historic interest as a high-status eighteenth century dwelling, its use of local materials and its visual prominence within the historic core of the village.
20. Although there is no known historic or functional relationship between them, the adjacent playpark and the appeal site have a spatial relationship with the Old Rectory forming a cluster of buildings and open space within the historic core of the village. There are impressive views of The Old Rectory from the former pub car park and the adjacent playpark in that regard.
21. Church Cottage is a Grade II listed building located adjacent to the Church of St Guthlac and the Old Rectory. Its special interest and significance derive from its architectural and historic interest as a late eighteenth/early nineteenth century cottage. Key contributors in that regard are its architectural composition incorporating pleasing symmetry, its use of local brick and pantile and its close proximity to the Church of St Guthlac.
22. The cottage's south gable wall is located adjacent to a narrow alleyway that leads from the churchyard to Water Lane, however, intervening development along Water Lane limits views of the building from the appeal site. There are no known functional or historical relationships between the appeal site and Church Cottage. As such, whilst located within its wider setting within the village's historic core, the appeal site makes a negligible contribution to its special interest or significance.

Significance – NDHAs

23. The Beeches is a substantial Victorian property set on a larger plot (parts of which have been subsequently developed) with imposing gables and slate roofs. It makes a positive contribution to the CA and its steeply pitched gables and chimneys are visible across the appeal site from Water Lane, as well as being seen from Red Lion Street. Its significance derives, in part, from its age, its architectural composition and its use of materials. Whilst I am not directed to any historic association or relationship between the appeal site and The Beeches, the former car park, owing to its open nature, facilitates partial views of The Beeches from Water Lane. In that regard the appeal site allows for an appreciation of the significance of the NDHA. Albeit, due to the distances involved and the partial visibility of principally one elevation, that contribution is limited.
24. The Red Lion Inn has the appearance reflective of a former public house, and its exterior is reminiscent of the nineteenth century despite the likely incorporation of earlier fabric. The building has an L-shaped planform, although this has been altered through a twentieth century extension. The building's street presence and

its longstanding use as a public house, as well as its evolution over time and use of local materials are elements that contribute to its significance as a NDHA.

25. Reference is made to the pub being connected to a historical figure and being used in the past as a venue in association with the village enclosure. Although the detail in relation to these matters is limited, these narratives nonetheless demonstrate the communal and historic interest of the building as an NDHA.

Proposals and Effects – Conservation Area

26. The proposed new housing units would attach to the former pub via an undercroft extension and would form an L shaped courtyard development with parking and hardsurfacing to the front, reminiscent of the arrangement shown on the 1930 OS Plan. Rear gardens would be formed between the proposed units and the playpark. Similarly, green space would be retained between the pub and The Beeches and Unit 1 and The Beeches.
27. Although the development of part of the site for housing would reduce its openness to an extent, the creation of the garden spaces would lead to greenery and vegetation that would contribute positively and reinforce the existing character and appearance of Water Lane and the CA as a whole. This would represent an improvement over the existing hardsurfacing.
28. There would be some loss of openness for the observer passing along Water Lane through the introduction of built development where previously there was hardsurfacing. However, the sense of enclosure created by built development would not appear out of place along Water Lane which is characterised by such development, punctuated by more open areas. Given the proximity to the playpark and the provision of the garden areas, this overall pattern of enclosure and openness would remain.
29. As such, whilst I am satisfied that the loss of the car park through its partial development for housing would not, in itself, be harmful to the CA, the proposed design of the individual units would not be well rooted in this location. In this regard, the proposal features a confusing mix of both distinct agricultural style openings and fenestration with overtly domestic openings and fenestration that spans across individual elevations and units. This is notwithstanding the lack of agricultural buildings within the core of the village. For example, Plot 1 would feature domestic casement windows, dormer windows, a flat roofed extension with glazed lantern and an external chimney which are highly domestic elements. These would sit awkwardly alongside the glazed 'cart shed' style openings with timber shutters contributing to a somewhat contradictory and confused finish. This would be repeated across the elevations of the proposed units.
30. The dormer windows would be highly modern in design and would contrast starkly with the cottages that define the character and appearance of the CA. As set out above, dormer windows are not particularly common within the CA, however where present, they are of a traditional style, incorporating a dual pitched roof and gabled frontage. There are few, if any, flat roofed dormer windows within Stathern and those proposed would appear out of place and fail to reflect local distinctiveness in this highly sensitive setting amongst multiple traditional buildings.
31. The above design features would be highly visible in views along Water Lane, from the neighbouring dwellings, and from Red Lion Street. These elements would

prevent the proposal from assimilating within its setting, resulting in an incongruous form of development that would cause moderate harm to the character and appearance of the CA, eroding its special interest and significance.

32. Nonetheless, the proposed conversion of the pub would conserve the older parts of the building, retaining it as a feature of the streetscene and securing its future within the CA. The demolition of the twentieth century addition would be beneficial to the appearance of the building and its replacement with the undercroft parking would be a more sensitively proportioned structure allowing for a better appreciation of the original L shaped form. Similarly, the retention of the detached outbuilding and its conversion to a 2 bedroom dwelling would safeguard its long term future as a positive element of the streetscene, including along Water Lane.
33. Whilst I appreciate that courtyards are not a strong feature of the CA, this form of development would reflect the outbuildings that previously existed at the site. Moreover, whilst described as a courtyard by the parties, this is not a development that is laid out in a formal, regimented pattern. Rather, the units would be arranged in a more haphazard, organic fashion, with varied heights and depths, interspersed by open space to the front and rear, reflecting the ad hoc arrangement of dwellings along Water Lane and within the wider CA.
34. The openness of the playpark would be unaltered through the proposed development, whilst views of the proposed units would be filtered by the strong existing vegetated boundary which is proposed to be supplemented by additional landscaping. Additionally, owing to the respective heights, limited views of the rear elevation of the Red Lion would remain from this viewpoint.

Proposals and Effects – Listed Buildings

35. Mindful of the appeal site's contribution to its special interest and significance, the reduction of openness from the redevelopment of the site would not adversely affect the setting of the Church of St Guthlac. Nonetheless, the provision of an incongruous form of development, within its wider setting, that would fail to reflect local distinctiveness would to a small degree, harm its special interest and significance through altering the experience of the asset from within its setting. Having regard to the distances involved and level of intervisibility, that harm would however be relatively minor.
36. The proposed development would be seen alongside the Old Rectory and whilst it would result in the built form of the appeal site extending closer to it, the incongruous nature of the development, within its setting, would adversely affect how the building is appreciated within its setting. However, as above, that harm would be relatively minor, particularly as the dominance of the building within its setting would be maintained.
37. Whilst Church Cottage, the Old Rectory and the Church of St Guthlac form a group, I am satisfied that, given the extent of intervening development, the proposal would not materially diminish the special interest or significance of Church Cottage.

Proposals and Effect – NDHAs

38. The proposal would interrupt views of the gable of The Beeches in views across the appeal site from Water Lane. Nevertheless, given the low heights of the proposed dwelling in comparison to The Beeches, a portion of that view would remain

following the completion of the proposed development. Mindful of the limited contribution of this view in terms of understanding and appreciating the significance of this NDHA, and the development that has already occurred around the Beeches, I am satisfied that the proposal would not amount to any discernible harm to the significance of The Beeches through development within its setting.

39. The removal of the twentieth century rear extension would be beneficial to the significance of the Red Lion. The proposal would safeguard the future of the building and ensure that its significance can continue to be appreciated within its setting. The proposed development to the rear of the building would be subordinate in scale and detailing to the Red Lion itself allowing for the primacy of the building along Red Lion Street streetscene to remain. The provision of undercroft parking between Unit 1 and the former pub as well as the L shaped nature of the development would provide a degree of separation between the old and new.
40. However, the proposal, in developing the car park, would sever the building from land which it has long been associated with and introduce new development in its place. Such a proposal would inevitably impact on significance. Whilst the proposed form would mitigate this impact to a degree, the incongruous nature of the design of the dwellings described above would have a negative effect. In that regard the proposal would fail to preserve the significance of the Red Lion pub. In such circumstances the National Planning Policy Framework (the Framework) requires a balanced judgment having regard to the scale of any harm or loss and the significance of the heritage asset. This is considered in my conclusion below.

Heritage Balance and Conclusion

41. This is a sensitively located windfall site, the redevelopment of which would have some neutral and positive effects on the CA including safeguarding the future of the Red Lion as a NDHA. Nonetheless, I have found that the design of the proposed dwellings would contribute towards a confused appearance resulting in an incongruous form of development that, on this basis, would fail to preserve the character and appearance of the CA, adversely affecting its special interest and significance. For the reasons set out above, the proposal would also adversely affect the setting of the Grade II* listed Church of St Guthlac, an asset of the highest significance, and the Grade II listed Old Rectory. I have not found harm to the setting of Church Cottage.
42. Overall, the proposal would be contrary to the clear expectations of sections 66(1) and 72(1) of the Act and the provisions within the Framework which seek to conserve and enhance heritage assets. For the same reasons the proposal would cause harm to the significance of these designated heritage assets.
43. When considering the impact of a proposed development on the significance of a designated heritage asset, the Framework sets out that great weight should be given to the asset's conservation. It makes clear that the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Having regard to my above reasoning, collectively I consider the harm to designated heritage assets to be a moderate level of 'less than substantial' harm as set out in the Framework. Paragraph 215 advises that this harm should be weighed against the public benefits of the proposal.

44. The proposal would generate heritage benefits through safeguarding the future of a NDHA and its outbuilding, ensuring its continued contribution to the character and appearance of the CA.
45. The proposal would create 6 new homes that would add to the Council's housing supply at a time when there is a national need to significantly boost the supply of homes, notwithstanding that the Council can demonstrate a five year supply of deliverable housing sites.
46. Economic benefits would arise from the construction and occupation of the proposed dwellings, albeit that those benefits would be limited by the scale of the proposal. Overall, I consider that the proposal generates moderate public benefits. However, such benefits are not limited to this particular scheme, particularly having regard to the effect of the design detailing of the proposed dwellings.
47. The Framework requires me to give great weight to the conservation of heritage assets. Furthermore, mindful of the status of the Church of St Guthlac in particular, an asset of the highest significance, the Framework is clear that the more important the asset, the greater the weight should be.
48. Whilst I find that the sum of public benefits carries moderate weight in favour of the proposal, this is not sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
49. The proposal would fail to preserve the character or appearance of the CA. It would also fail to preserve the setting of the Grade II* listed building of the Church of St Guthlac and the Grade II listed building of the Old Rectory. In that regard, it would be harmful to their special interest. The proposal would also harm the significance of the Red Lion, a NDHA. For the reasons set out above, the proposal would not be acceptable having regard to the moderate level of significance of this building.
50. In conclusion, for the above reasons, the proposal would have an adverse effect on the character and appearance of the local area. This harmful impact would conflict with Policy EN13 of the Melton Local Plan (2018) and Policy H2 (d) of the Stathern Neighbourhood Plan (2020) (the NP) which, amongst other things, together, seek to ensure new development is in keeping with the character of the local area and of a design that preserves heritage assets. There would also be conflict with the provisions within the Framework which seek to conserve and enhance heritage assets.

Highway Safety

51. On the site visit I saw reasonably high numbers of vehicles parked on the highway owing to a combination of narrow streets and properties with insufficient off-street parking. Along Red Lion Street, there are several properties that do not have off-street parking and the occupiers of those properties and their visitors likely park along the street close to the appeal site. I visited the site twice and saw several vehicles parked along Red Lion Street both times, albeit in both instances there remained space available to park.
52. It is proposed to provide a total of 12 parking spaces, amounting to 2 spaces per dwelling. Of those, 3 would consist of undercroft parking located within the built form of the development, necessitating a tandem arrangement for the 2 spaces serving those units. It is common ground between the parties that the proposal

would meet the Leicestershire Highway Design Guide (2024) minimum car parking requirements for residential units that have 2 or 3 bedrooms.

53. The proposal does not provide for additional visitor spaces and therefore any additional parking generated by the dwellings would likely take place on the nearby streets including Red Lion Street. However, the number of dwellings proposed is small and thus the demand for parking over and above two vehicles generated by the proposal at any one time is likely to be very minor and barely discernible. As such, I am satisfied that this would not be a significant change or of a level that would lead to an unacceptable impact on the safety and movement of traffic and pedestrians around the appeal site.
54. Whilst I accept that the tandem arrangement for 3 of the units may cause mild inconvenience to their occupants, I think it is unlikely that this, in itself, would lead to the occupants preferring to park away from their dwellings along Red Lion Street. The tandem parking arrangement would therefore not lead to any discernible effect on the levels of parking along Red Lion Street.
55. For the above reasons the proposal would not have an unacceptable impact on highway safety with particular regard to parking provision. The proposal would therefore comply with part c) of Policy H2 of the NP.

Housing Mix

56. Stathern is designated as a service centre in the LP. This is the second tier of the settlement hierarchy and is made up of villages that act as a local focus for services and facilities in the rural area. As a service centre, LP Policy SS2 identifies Stathern as having a residual requirement of 71 dwellings and the LP identifies site allocations of 75 dwellings. These dwellings are all under construction or have an extant permission.
57. There is no numerical restriction on windfall development above the residual requirement within the LP. Indeed, Policy SS2 seeks to encourage the development of small windfall sites in service centres where they meet the housing needs of the settlement. Policy H2 of the NP supports small housing proposals on windfall sites where such a development meets, where practical, a list of criteria including at b) where it *'helps to meet the identified housing need for the parish'*. Policy H3 requires housing proposals to provide a mixture of housing types specifically to meet identified local needs in Stathern with priority given to dwellings of 3 bedrooms or fewer and to homes suitable for older people, including 2 and 3 bedroom bungalows and dwellings suitable for those with restricted mobility. The appellant's Local Housing Need Statement concurs with the above and identifying a high number of four bedroom and larger homes within Stathern contributing to an affordability issue.
58. Whilst reference is made to the Midlands Housing Rural Housing Need Survey, both parties accept that its content has now expired. Nonetheless, comprising of predominantly reasonably modest 3 bedroom terraced properties and a 2 bedroom single storey property, the proposal would contribute towards the need for smaller family housing homes suitable for both younger people starting on the housing ladder and older people downsizing identified in the NP. Based on the evidence before me, I am therefore satisfied that the proposal would not lead to an overprovision of dwellings that do not meet an identified need. The proposal would comply with Policy H2 b) of the NP in that regard.

Conclusion

59. Moderate public benefits would arise from the proposal, as set out above. Collectively these would include heritage benefits, economic benefits and benefits in terms of contributing to housing supply.
60. I have not found harm in terms of highway safety or with regard to the housing mix. Nonetheless, as is clear from my above reasoning, the benefits arising from the proposed development do not outweigh the harm I have identified above in relation to character and appearance with particular regard to heritage assets.
61. The proposed development would conflict with the Act, the development plan and the Framework. There are no material considerations of sufficient weight that would lead me to conclude otherwise. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR

APPEARANCES

Appellants:

Paul Wakefield	Partner in Shakespeare Martineau
Jacqueline Jackson	Partner in Marrons
Adam Partington	Director of Locus Consulting Ltd

Council:

Jack Smythe	Barrister
Jane Fetton	Solicitor
Dr Ramona Usher	Heritage Consultant
Louise Parker	Head of Development Management
Chhaya Pancholi	Planning Officer
Louise Newcombe	Planning Officer

Third Parties:

Ken Bray	Stathern Parish Council Chair
David Worth	Stathern Community Benefit Society (SCBS)
Elizabeth Mayle	Heritage Consultant representing SCBS
Sally Fagan	Local Resident
Cllr Chris Evans	Stathern Representative