

Officers Joint Report

Planning Application No: 142751 &

Listed Building Consent Application No: 143621

142751 PROPOSAL: Planning application for change of use of Nettleham Hall and Diggers Cottage to 2no. dwellings with extensions, alterations, associated landscaping and vehicle access. Also, alterations and repairs to gates.

143621 PROPOSAL: Listed building consent for repair and conservation of the gates and piers; and partial demolition, conservation, alterations and extensions of Nettleham Hall and Diggers Cottage.

LOCATION: Nettleham Hall and Lodge Site Hall Lane Nettleham Lincoln LN2 2ND

WARD: Nettleham.

WARD MEMBER(S): Cllr Mrs A White; Cllr J Oliver

APPLICANT NAME: Mr and Mrs Hood

TARGET DECISION DATE: 01/04/2022

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Andrew Keeling

RECOMMENDED DECISION: Grant planning permission and listed building consent subject to conditions, and S106 unilateral undertaking subject to the following Heads of Terms:

From commencement of the Nettleham Hall dwelling works:

Within 24 months of commencement of building works to make safe the gates /metal work by carrying out the following actions.

- To dismantle the metal work in accord with the approved methodology.
- To store the metal work in a safe place (workshop of the appointed metal work specialist)
- To make the stonework of the gates which is to remain on the site safe.

Within 36 months of commencement of building works to commence work on the gates (metalwork) in accordance with the approved methodology.

Within 72 months of commencement (or in a period which is agreed in writing with the Local Planning Authority as a variation to this S106 legal agreement) to have completed the restoration of the gates (metal work and stonework).

Within 72 months of commencement, to put together a maintenance regime for the on-going maintenance of the gates for the next 10 years. This maintenance agreement shall be reviewed every 5 years from its agreement with the LPA.

These are amended terms and were received on the 22/03/2022. Historic England have been consulted and comments are awaited.

This application has been referred to the planning Committee, as the proposed development is not considered to be wholly compliant with all policies within the Development Plan, and officers consider that there are material considerations to justify any departure.

Description:

The application site consists of a set of gates with piers, which are a grade I listed building, and the remnants of the long abandoned and partially collapsed curtilage listed Nettleham Hall and Nettleham Hall Cottage (also known as Diggers Cottage), and associated grounds. The site has been reclaimed by dense tree growth.

The site forms part of a cluster of development in the countryside to the west of Nettleham and to the east of the University of Lincoln Riseholme campus. Development immediately to the north includes a range of farm buildings and a dwelling known as Hall Farm; and to the north east are 1 and 2 Hall Farm Cottages. The wider area is characterised by gently rolling arable farmland with occasional wooded areas.

It is proposed to demolish parts of Nettleham Hall such as part of the second floor of the southern and western elevation, part of the western elevation and some internal walls. New buttresses would be built to provide structural support for some remaining walls. The remaining side wings of the southern elevation would be used as walled gardens. A new building would be constructed in the central area of the southern wing. The former great hall would be used as a courtyard garden. A new western wing would be constructed and together with the northern and southern wings would form the new accommodation. Reinstated gardens, a southern lawn, driveways, entrance paths, acoustic heat pump enclosure and parking area are proposed.

It is proposed to demolish existing side wings and the roof of Diggers Cottage and erect a single storey L shaped extension to the side and rear. A courtyard garden, walled garden and cottage garden are proposed. A parking area and bin compound would be located adjacent to the secondary access.

It is proposed to restore the gates, which are grade I listed (List entry Number 1165868)¹. Grade I buildings are of exceptional interest – only 2.5% of listed buildings are Grade I. The Listing Entry description, is as follows:

SK 97 NE NETTLEHAM HALL LANE

4/46 Gates and piers to Nettleham Hall 31.1.52 (formerly listed

¹ <https://historicengland.org.uk/listing/the-list/list-entry/1165868?section=official-list-entry>

as Iron Gates I of Nettleham Hall)

Gates, gate piers, flanking wall and screen. Gates of c.1720 by Francis or William Smith and c.1890 piers and flanking wall and screen. Ashlar and wrought iron. Central double gates with square section bars with curly finials, figured rails and spearhead terminations to base, curlicue side panels and elaborate overthrow with central circular panel and foliage decoration. To either side are square ashlar gate piers with recessed panels and dentillated cornices with knops. Beyond are single C18 pedestrian gates with overthrows matching the central ones. To the outer sides are square ashlar piers with plain cornices. Before the gate to either side are curving flanking ashlar walls surmounted by C19 screen of plain railing with spiked terminals, ramped up towards the pierced iron piers at either end. The gates came from the demolished church of St. Peter at Arches Lincoln and lead to the derelict C18 Nettleham Hall.

Listing NGR: SK9934575916

The gates are also on the Historic England heritage at risk register². Their condition is noted as “very bad” with priority “A - Immediate risk of further rapid deterioration or loss of fabric; no solution agreed”. The register provides the following description:

“Gate and gate piers, circa 1720. Attributed to Francis or William Smith of Warwick. Relocated from the demolished St Peter at Arches Church in Lincoln and once led to Nettleham Hall. Ironwork is in very poor condition and some stonework is displaced. Some of the Victorian railings have been stolen from the side walls and stonework has been damaged. The repair of the gates has been discussed in the context of wider development proposals. Historic England has visited and provided advice.”

The application is accompanied by a S106 unilateral undertaking, which proposes that in the event of receiving permission, the developer shall:

Within 24 months of work commencing on site

- To dismantle the metal work in accord with the approved methodology.
- To store the metal work in a safe place (workshop of the appointed metal work specialist)
- To make the stonework of the gates which is to remain on the site safe.

² <https://historicengland.org.uk/advice/heritage-at-risk/search-register/list-entry/46232>

Within 36 months of commencement of works on the dwellings to commence work on the gates (metal work).

And within 72 months of commencement of works on site to have completed the restoration of the gates.

These are revised heads of terms (21/03/2022) and are much improved over the original proposals. They tie the repair of the gates to commencement of works on site and not occupation as previously proposed. The gates should be repaired and back on site within 6 years of commencement of works on site.

These are now being considered by Historic England.

Relevant history:

W6/974/78 Residential development refused in 1978.

Representations:

Nettleham Parish Council:

16/9/2021 and 28/5/2021: No comment/supports the application.

WLDC Conservation Officer:

Thank you for the consultation on the application for Listed Building Consent for the above, and also the revised planning application. I note that following Counsel advice, the ruin of the hall and Diggers Cottage are deemed listed by virtue of curtilage to the grade I listed gates to Nettleham Hall. I welcome in principal proposals that will give the ruined hall and Diggers Cottage a new use, involving consolidation and repair of both structures. A key element also, is that this new use will not only conserve for the future the ruin of the hall, but will also result in the appropriate repair of the grade I listed gates, which have been on the Historic England 'at risk' register since its inception more than twenty years ago. It must be accepted that gates, however important, can only have a use as originally intended, and that is as a visual landmark, denoting what it leads to, which originally was a fine country house. Since 1936, after a disastrous fire, the ruin of the hall has stood, incapable of any new use without an intervention and some vision, which this proposal provides, and which without, there is no impetus to the owner of the gates to repair and maintain this very significant designated heritage asset, or indeed the hall ruin. We have been through a long pre-application process and have provided advice in quite some detail. We also have a very detailed package of information supplied since our last meeting, where we considered my response provided in relation to 142751 dated 29 June 2021. This consisted of advice that the proposed level of demolition for Nettleham Hall ruin consisted of works that would cause a high level (substantial) harm to key architectural elements of significance.

I am pleased to note that revised proposals have been received, however, concerns still remain re extent of demolition. I now advise as follows:

1. Nettleham Hall Gates – I am pleased to note that we have a set of detailed drawings for the gates, and that repairs are intended. A detailed method statement has been provided for the repair of the gates, which is welcomed however, I cannot see a specification and methodology for the full scope and extent of repairs. Historic England advise that this should be supplied as part of this application so please can you advise the applicant this is required now and for further comment from Historic England. This needs to cover their concerns about reinstatement of missing elements (which should be based on an assessment of which are key elements of the design, and which, once we have a detailed methodology could be agreed via a specific condition. I am concerned too that the bulk of the overthrow is proposed for replacement). Again, all of this needs to be addressed in the extent of repairs and methodology as required by Historic England and we need this methodology prior to any determination in order to share this with Historic England. No timescale is provided either with regard to commencement and completion of repairs to the gates. I am concerned that the gates must be repaired as this element forms a central argument put forward by the applicant for the repair and reuse of the ruined hall and Diggers Cottage. A watertight legal agreement is required to ensure that the gates are properly repaired, and in a timely fashion, again as noted by advice provided by Historic England.

So we need a timetable too prior to any approval so we can tie this to the Legal agreement.

2 Once we have a full specification and methodology, supported by Historic England, we can then finalise the consent and conditions will be needed to control the works which cover:

- a. Supply of a photographic survey (CAD based and measurable) of the gates for a record prior to removal (as a record to ensure authentic reinstatement of any temporarily dismantled elements, and as a record should there be a failure to comply with any condition, or that funding (which is not insubstantial in terms of a spend on the Hall ruin and Diggers Cottage) fails to result in the repair and reinstatement of the gates in a timely manner that the LPA has a record on which to base any necessary legal action to have the gates reinstated;
- b. Sample panels will be required of both stone repairs, iron work repairs and final paint colour and finish.
- c. We will need to agree on the elements of reinstatement of missing elements which cannot be left to the specialist ironworker. This also needs input from Historic England and the LPA conservation officer.

2. Nettleham Hall Ruins – I am pleased to note that the plans supplied for LBC (and the revised plans for the PP) do now show the retention of the second floor and classical pediment on the principal (southern) elevation of the ruined hall. I note also a heritage statement (which was not made available to us for the site meeting as promised) which has a thorough history and development describing the building, citing Marc Girouard (as it should if a country house is involved). However, I am concerned about the conclusions of the statement in relation to the significance, in that the ruin of Nettleham Hall is assigned the same level of significance (low-moderate) as Diggers Cottage. I cannot countenance this assessment method as reasonable as the two are clearly not at all of the same level of architectural significance. I would suggest that Diggers

Cottage is of limited significance and that the ruin of Nettleham Hall holds at a high level of significance, the highest significance relating to the remaining classical facades on the south and east elevations, and other features such as the remaining wall of the great hall (and these features are noted in the heritage statement as being of high significance, despite the overall assessment of 'low to moderate' in the same statement).

This causes me concern that the HIA element is not sufficiently robust in relation to the hall ruin. I think a more helpful way of considering the significance of the hall ruin would be by comparative study. A short search on the National List Historic England for 'ruined country house', brings up 313 results, and once filtered for grade demonstrates there are 72 country house ruins that are listed (27 at Grade I, 16 at Grade II* and 29 at Grade II) and further 110 that are scheduled monuments (see attached capture at the end of my comments). So for example, the following <https://historicengland.org.uk/listing/the-list/listentry/1328909> (RUINS OF TREHANE HOUSE AND GARDEN WALL ADJOINING TO EAST) is readily comparable. There is no named architect, the house was ruined by fire in 1946, is roofless and has, by comparison, a less interesting principal architectural frontage, but this is nevertheless, grade II listed. Other ruined country houses such as Sutton Scarsdale Hall and Witley Court are well known, and of higher grading but there are plenty at grade II to make a comparison (indeed we have already in our own district the ruins of the old Northorpe Hall at grade II). There are many other examples too. So under paragraph 195 of the NPPF states: Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. In essence, my assessment of the asset differs from that provided by the applicants heritage statement in that Nettleham Hall ruin is of high significance (and likely to be of sufficient merit to be listed in its own right). The demolition of the first floor of the canted bay is not what was advised on site, reducing this to a neatly finished castellated appearance. My advice was that we would consider proposals which dismantled in part, 3 in the style of a ruin. I cannot see any structural report that advises that this is not possible, so what is the reason for finishing the first floor of the canted bay in the style proposed? Moreover the heritage statement cites the canted S bay to be of high architectural significance. A review of this element of the proposed alterations is required. I think a review of the heritage statement is needed too.

The Hall ruin is either worthy of conserving and bringing a new use to it because of its special architectural and historic interest, or it isn't. The applicant seems to think it is worth spending over £2M on doing so, on the premise that it will ensure the gates have a future (yet these need a possible expenditure of around £250K).

I also advise that the hall ruin is of sufficient merit to warrant a consolidation, repair and a new use, but the heritage statement belittles the significance to such an extent that it leaves the matter open to question from our members as

to why these do not align. If I were to agree with the heritage statement (which I do not) that the significance of the hall ruin is low-moderate, then it is not important enough a structure to depart from our local plan in the first place. As we have already established, this is not a full on enabling development, so we do need some absolute clarity from the submission. We also need a full justification based on the need to bring a new use to, conserve and repair the hall ruin. 3. Diggers Cottage is of far less architectural merit but is of some historic interest, and again as this involves large extensions and alterations, this is also departure from LP55, and the main reason for supporting large extensions and alterations is to ensure that both the gates and the hall ruin can come to fruition. Again we could not support this approach unless there were an overriding heritage reason, which is to support the repair re-use and conversion of the hall ruin and to ensure the repair of the gates. Diggers Cottage will consist of a very desirable new house once complete. If we were dealing with two structures the same significance as Diggers Cottage, we would not be seeking to depart from our local plan using the special architectural and historic interest of these structures as a reason. The reason we support Diggers Cottage is as a package to ensure that the works to consolidate and repair Nettleham Hall Ruin and the repair of the gates comes to fruition. This was all explained on site at our last meeting.

A further comment in the heritage statement notes that they accept for the time being, the determination of the LPA that the hall ruin and Diggers Cottage are listed by virtue of curtilage. What does this mean? Does this mean when we have made a very special case to our planning committee and the applicant has consent that a further challenge is coming? I would advise that the same conditions need to go on the PP as the LBC. As already mentioned, any attempt to undermine the significance or protection of the hall ruin, does the applicant no favours when it comes to a departure from the local plan. I would not think Planning Committee will think much of a legal challenge after trying to support the applicant to make best use of his heritage assets. The above sounds like I am not I support of a scheme here, but I very much am, and I can see the architects have real vision. All that is needed is an acceptance of the significance of the hall ruin by the applicant and agent, rather than seeing this building as something of far less significance, and to accept the significance of this structure and work with it in a respectful manner when it comes to retention of historic features. I am supportive of the remainder of the proposed works, subject to some further clarification, additional detail and final revisions as follows:

- i. A full methodology and specification for the works (both enabling and full). There may also be some urgent works too but prior to any work being undertaken we need to know the difference between any urgent works (generally non-invasive such as support scaffold's, etc.) and also, at some point, we need to see the building free of vegetation prior to any works (see further below re capping's etc.).
- ii. Timetable (which will include the gates and Diggers Cottage too); The above are required prior to determination. 4 Once we have the above and the revisions are in accordance with the advice provided, then I shall hopefully be in a position to support this proposal in full, which

will then, hopefully accord with policies LP25 (and with clear reasoning as to the significance and why it is imperative that both the gates and the hall ruin are conserved). We will still need by way of conditions:

- b. A fully detailed record of the structure as is (for both the HER, and for our records prior to any works being undertaken);
- c. photo survey (e.g., cloud point, CAD based and measurable electronically).
- d. Capping's, copings and finishes. The proposed elevations will require that some features, such as the classical pediment the top of the southern elevation need a formal finish. However, there are other elements, where various types of copings are proposed. I am concerned that this approach could result in taking away the ruined character, noted so well by Pevsner (and the heritage statement supplied) that 'Despite half a century of decay, much of the Georgian stone shell remains. The passing of the years enhances the impressiveness'. The capping and coping details and the sense of consolidated ruin rather than altered and capped off ruin are two very different things. Many sketches and details are supplied, but several areas are still covered with ivy and other vegetation, so details in respect of capping must really be left for a final decision as to detail once vegetation is removed. A notwithstanding condition may cover this element of the works.
- e. Sample panels of works for repair (including repointing), enabling and new dwelling;
- f. All materials for approval, including samples.

We now need:

- a) a timetable for the whole site (HE want this too) and;
- b) a methodology and specification for works (HE want this too for the gates and we need it for the remainder of site);
- c) revisions to the south elevation – canted bay as per previous advice.
- d) amendments to the heritage statement with regard to the level of significance assigned (it has to be important enough for us to depart from the local plan on LP55 but also must accord with LP25 – at the moment, the heritage statement concludes the canted bay is of high significance. So in essence, the works are harmful to elements of high significance, and with that much I agree. However, the overriding reason for taking this to planning committee as a departure is that the hall ruin and the gates are of high (very high in the case of the gates) significance, this warrants a departure from the local plan. This is very much undermined by an assessment stating the hall ruin is of low-moderate significance overall.
- e) A legal agreement based on the timetable once we have it.

Careful consideration has been given to the Listed Building Officer comments. With regard to the final points a to e headed "we now need" the following is concluded/advised)

- a) A timetable had now been proposed that is shorter than originally suggested and ties commencement of works on the buildings to

commencement of works on the gates. The final comments of Historic England are awaited.

- b) A methodology statement has been submitted and Historic England are satisfied with it (see HE comments below dated 2nd November 2021)
- c) The revisions to the south elevation are submitted
- d) It is not considered necessary to request that the heritage statement be amended. The level of significance afforded to the hall is a matter of judgement for the LPA to determine. The level of significance is what the LPA say and not what the applicant's say in supporting information.

Summary of the Listed Building Officer Comments

The scheme (as amended) is supported as it has significant heritage benefits, repairing the gates and bringing back into use the historic Hall. However these benefits have to be secured and controlled through conditions and a section 106 to ensure that they are firstly carried out, secondly carried out properly and finally carried out in a timely manner.

WLDC Tree and Landscape Officer:

6/9/2021: The arboricultural impact assessment including tree survey details are appropriate. An arboricultural method statement should be conditioned to secure details of tree protection and driveway access installation.

4/6/2021: Tree loss should be expected if the site is to be brought back into use. The referenced tree survey should be provided. The proposals appear to be designed sympathetically to the site and its current wild appearance. I have no objections to the proposals in principle with the information submitted, though more specific details specific for this site are required, such as what areas are to have the cellular confinement system installed, what species are the category A & B trees, tree RPA measurements, which trees are intended to be removed, protective fencing type and positions.

LCC Highways and LLFA:

No objection. Recommends informatives regarding access and works within the highway.

Historic England:

11/6/2021 comments on planning application:

“Significance

Nettleham Hall gates are listed grade I due to their exceptional architectural and historic interest and are within the top 3% of listed buildings/structures in the country. The gates themselves date from around 1820, possibly designed by Francis or William Smith, and were relocated to the site of Nettleham Hall in the mid-19th century from St Peter at Arches church in Lincoln. The listed structure consists of the wrought iron double gates, a pair of flanking pedestrian gates with piers, and later 19th century railings and flanking wall. The ornate ironwork and finely detailed early masonry make a key contribution to the significance and special interest of the gates.

Whilst not listed in its own right, the ruined Nettleham Hall is undoubtedly a heritage asset. Its significance mainly lies in its character as a 'romantic ruin' and the surviving historic fabric, some of which is finely detailed in a Classical style. Altogether the ruined hall makes a striking sight and its scale and surviving fine architecture clearly demonstrate today that an historic, high status residence once stood at this location.

The ruins of the hall make an important contribution to the setting and significance of the listed gates. The gates, once they had been relocated, were meant to stand at the entrance to a high status residence - Nettleham Hall - and the surviving ruins give meaning to the location and historic use of the gates. The fact that the gates are not currently in use and the driveway to the hall no longer exists and is overgrown detracts greatly from the setting and significance of the gates.

Condition of the gates and hall

The gates, railings, gate piers and flanking low-level walls are described as being in 'Very Bad' condition in Historic England's Heritage at Risk Register. They have been on the register for many years and are currently recorded at 'Category A - Immediate Risk of further rapid deterioration or loss of fabric, no solution agreed'. The condition of historic fabric is declining and is highly vulnerable. Some ironwork elements are missing, broken or badly corroded. Particularly badly corroded elements have caused some significant 'jacking' of masonry. Stonework in such locations is badly damaged and or displaced. Stonework and ironwork have suffered as a result of anti-social behaviour - vandalism and theft. The isolated location of the site, the fact that the gates are not in use and the site is unoccupied with limited natural surveillance means that the gates are particularly vulnerable to repeated incidents of theft and vandalism.

Some elements of the ruined hall are structurally unsound. A programme of vegetation management was underway at the time of our visit and Heras fencing had been put in place which is welcome.

Impact of the proposed scheme

The proposed scheme includes the repair of the gates and reinstatement of the driveway between the gates and hall, conversion and extension of the ruined hall to form a principal residence, and the repair and extension of Digger's Cottage as a new residence. It is encouraging to see the whole site being considered together so that the interdependencies of the heritage assets can be addressed.

We very much welcome this initiative to repair the grade I listed gates. Once properly repaired, the gates would regain much of the significance which has been lost. Appropriately done, reinstating the Hall as a principal dwelling on the site would be the optimal use of this heritage asset and, with the reinstatement

of the driveway, would also greatly enhance the setting and significance of the listed gates.

Legislation, policy and guidance

As you are aware, the statutory requirement to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990) must be taken into account by your authority in determining this planning application. Our advice is provided in line with the National Planning Policy Framework (NPPF), the NPPF Planning Practice Guide, and in good practice advice notes produced by Historic England on behalf of the Historic Environment Forum including Managing Significance in Decision-Taking in the Historic Environment. There is a presumption in favour of sustainable development in the NPPF (paragraphs 10 and 11, NPPF). Achieving sustainable development means that the planning system has three overarching objectives - economic, social and environmental (paragraph 8, NPPF). The environmental objective includes contributing to protecting and enhancing our built and historic environment (paragraph 8, NPPF). The NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to its conservation (paragraph 193, NPPF). Any harm or loss to significance 'should require clear and convincing justification' (paragraph 194, NPPF).

Position

As noted above, Historic England would very much welcomes the repair of the listed gates. Their removal from the Heritage at Risk register would be a significant public benefit of the proposed scheme. Restoring the driveway and the reuse of the gateway to access to the hall, restored as a new dwelling, would also reduce the risk of further vandalism which would be a further public benefit. We advise that the scope and extent of repairs will need to be agreed with your authority and the repairs would need to be carried out to an agreed timetable with a clear deadline for the works.

The condition assessment of the gates by Anwick Forge identifies missing and damaged elements and is very useful as an important step in determining the basis for a scheme of appropriate repairs. There are very many missing elements. The level of reinstatement should ensure that the significant elements of design are reinstated, including detailing, whilst avoiding an overly restored appearance.

We very much support in principle the creation of a new home using, in part, the ruined structure of the Hall. We defer to your authority it terms of detailed design and the justification provided for elements of the proposed works, particularly loss of historic fabric. In broad terms, as much as possible of the surviving fabric should be retained with elements being removed only where justified. The proposed new elements would be clearly read as different to the surviving historic fabric which is welcome. We also support in principle the

repair and reuse of Diggers Cottage and defer to your authority in terms of detailed advice.

Recommendation

Historic England has no objection to the application on heritage grounds. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.”

The HE comments on the LBC dated 23/9/2021 include the following additional paragraph “We advise that the full scope and extent of repairs would need to be agreed with your authority and the repairs would need to be carried out to an agreed timetable with a clear deadline for the works, and to an agreed methodology. The Heritage Statement refers to a repair methodology being submitted as part of the application. However, this does not appear among the application documents on your website. We recommend that a methodology is submitted as part of this application and we would be happy to provide further comments as appropriate.”

This advice was relayed to the applicant and further information, a methodology, was submitted. Historic England then made the following comments dated 2nd November 2021: -

Historic England Advice We note the inclusion of the method statement for the repair of the grade I listed Nettleham Hall gates in the application for listed building consent. We also note the further information submitted regarding the gates themselves. We advise that all applied decoration on the ironwork be removed (if any survives), then ironwork cleaned, decorated and then reassembled. In this way, complete coverage (and therefore protection) of components can be achieved. The removal of applied details may reveal evidence of a former decorative scheme though this may be unlikely given the condition. Your authority should agree a suitable decorative scheme which should be informed, as far as possible, by evidence of existing paintwork or historic research. On other matters our advice remains as set out in our letters of 23 September 2021 and 11 June 2021.

Recommendation Historic England has no objection to the applications on heritage grounds. Your authority should take these representations into account in determining the applications. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decisions in due course.

LCC Archaeology:

21/5/2021: It should also be noted that the hall, lodge and gates are situated in what remains of a historic park (including mature trees, driveways and paths, walled garden etc) which is recorded in the Lincolnshire Historic Environment Record. This designed landscape should, in addition to its ecological value, also

be considered as a heritage asset the significance of which merits consideration in any planning decision. We would therefore recommend that the developer be required to commission a programme of historic building recording to ensure that a record of the building is created prior to any further impacts on the historic fabric taking place. In addition, given the national significance of the historic gates we would also recommend that copies of the anthology (consisting of condition reports and details of conservation interventions) detailed in the Methodology Statement be required by a separate condition to be submitted to the local planning authority and Lincolnshire Historic Environment Record within three months of the work taking place.

Natural England:

13/9/2021 and 13/5/2021: No comment/objection.

Relevant Planning Policies:

Statutory test

The Planning (Listed Buildings and Conservation Areas) Act 1990 states:

“16 Decision on [Listed Building Consent] application...

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”

“66 General duty as respects listed buildings in exercise of planning functions.

(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Development Plan

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Here, the Development Plan comprises the provisions of the Lincolnshire Minerals and Waste Local Plan (December 2017 and June 2016); the Central Lincolnshire Local Plan (April 2017); and the Nettleham Neighbourhood Plan (March 2016).

- **Central Lincolnshire Local Plan 2012-2036 (CLLP)**

Relevant policies of the CLLP include:

Policy LP1: A Presumption in Favour of Sustainable Development

Policy LP2: The Spatial Strategy and Settlement Hierarchy

Policy LP13: Accessibility and Transport

Policy LP14: Managing Water Resources and Flood Risk
Policy LP17: Landscape, Townscape and Views
Policy LP21: Biodiversity and Geodiversity
Policy LP25: The Historic Environment
Policy LP26: Design and Amenity
Policy LP55: Development in the Countryside

- ***Nettleham Neighbourhood Plan (NP)***

Relevant policies of the NP include:

Policy E-4 Historic buildings and the Conservation Area
Policy D-1 Access
Policy D-2 Pedestrian and Cycle Access
Policy D-3 Parking Provision (New Housing)
Policy D-4 Water Resources and Flood Risk
Policy D-5 Residential Developments in the Open Countryside
Policy D-6 Design of new development.

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is in a Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

" However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

- ***National Planning Practice Guidance***
- ***National Design Guide***

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The first consultation on the draft Central Lincolnshire Local Plan closed on 24th August 2021. The plan is at an early stage of preparation; consultation responses are yet to be published and considered; and Framework consistency has not yet been tested. Very little weight is given to relevant policies it contains.

The most relevant policy in the draft plan is policy S56: The Historic Environment. This supports the retention and repair of heritage assets. There have been some objections with regard to the wording of this policy but it is supported in principle.

Main issues

- **The principle of development**
- **Design and heritage impacts**
- **Residential amenity**
- **Highways**
- **Flood risk and drainage**
- **Ecology and trees**

Assessment:

The principle of development

The site is in a limestone Minerals Safeguarding Area designated by Policy M11 of the Lincolnshire Minerals and Waste Plan. The submitted minerals assessment demonstrates the impact upon mineral resources would be negligible in accordance with the policy and is therefore compliant with policy in this regard.

The site is in the countryside where Policy LP2 Tier 8 Countryside applies, in the Central Lincolnshire Local Plan (CLLP). It restricts development to, amongst others, proposals allowed by Policy LP55. LP55 Part A states:

“Part A: Re-use and conversion of non-residential buildings for residential use in the countryside

Where a change of use proposal to residential use requires permission, and where the proposal is outside the developed footprint of a settlement listed in the settlement hierarchy, then the proposal will be supported provided that the following criteria are met:

- a. Comprehensive and proportionate evidence is provided to justify either that the building can no longer be used for the purpose for which it was originally built, **or** the purpose for which it was last used, or that there is no demand (as demonstrated through a thorough and robust marketing exercise) for the use of the building for business purposes; and
- b. The building is capable of conversion with minimal alteration, including no need for inappropriate new openings and additional features; and
- c. The building is of notable architectural or historic merit and intrinsically worthy of retention in its setting.”

Nettleham Hall and Diggers Cottage are considered to be abandoned. As such these are non-residential buildings proposed for re-use and conversion for residential use in the countryside. The proposal would result in the buildings being used for the purposes they were originally built which complies with criterion a.

The proposal involves extensive alterations and extensions to the buildings in conflicts with criterion b.

The gates are grade I listed and the hall and lodge are considered to be listed by virtue of curtilage (considered further under heritage below) which means they satisfy c.

Policy D-5 of the Neighbourhood Plan is more restrictive to residential development by requiring new residential developments will be resisted unless they are adjacent to the existing continuous built form of Nettleham and that isolated dwellings in the countryside will not be supported. The policy is silent regarding re-use of historic buildings in the countryside.

Paragraph 30 of the NPPF states: -

30. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

The CLLP was adopted in 2017 after the neighbourhood plan and therefore takes precedence over the neighbourhood plan.

This site is not considered to benefit from paragraph 80 of the NPPF which permits isolated homes in the countryside in certain circumstances for the following reason. The meaning of the word ‘isolated’ was the subject of the ‘Braintree’ judgments (1 Braintree District Council v Secretary of State for Communities and Local Government & Others [2017] EWHC 2743 (Admin) of 15 November 2017, and subsequently in the Court of Appeal judgment of 28 March 2018) and should be given its ordinary objective meaning of ‘far away from other places, buildings or people; remote’. The Appeal Court Judge stated that whether a proposed new dwelling is, or is not, ‘isolated’ in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand.

This site contains two buildings that are neighbours to each other and there are three other residential dwellings a short distance to the north and north east of the site as well as a significant collection of farm buildings to the north. The site is not isolated therefore Paragraph 80 should not apply.

The alterations and extensions to the curtilage listed buildings go beyond what is permissible under LP55 Part A b. However, there are exceptional circumstances relating to the restoration of the grade I listed gates and re-use of the remaining elements of the curtilage listed buildings arising from the proposal.

Paragraph 208 of the NPPF states: -

Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

In this case the restoration of the gates is to be given significant weight when considering the general conflict with the local plan policies, especially LP55.

The proposal is considered to be development that will secure the future of the grade 1 listed gates, which are of exceptional significance and have for many years been on the Historic England Heritage at Risk Register, and the curtilage listed buildings.

Policy LP25 of the CLLP supports development proposals where they: -

d. Protect the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views and vistas both from and towards the asset;

e. Promote opportunities to better reveal significance of heritage assets, where possible;

f. Take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.

This proposal achieves all 3 of these by repairing the gates and bringing back into use the Hall.

Policy E4 of the Neighbourhood Plan also supports development proposals which safeguard listed buildings.

Design and heritage impacts

Are Nettleham Hall and Diggers Cottage listed buildings?

The statutory definition of a Listed Building (under s1(5) of the Listed Buildings Act) is as follows:

(5)In this Act “listed building” means a building which is for the time being included in a list compiled or approved by the Secretary of State under this section; and for the purposes of this Act—

(a)any object or structure fixed to the building;

(b)any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948,

Shall... be treated as part of the building.

The gates were listed in 1952, and this notes the hall was derelict at that time. The hall and lodge have no current use and are still in the same ownership, and they were built before 1st July 1948. A recent court case, R (Hampshire CC) v Blackbushe Airport Ltd [2021] EWCA Civ 398, requires the LPA to draw a conclusion on the extent of the curtilage of the listed gates and whether this includes the hall and cottage. It is considered that the land should be treated as if it were part and parcel of the building. The land is so intimately associated with the listed building that it leads to the conclusion that the former forms part and parcel of the latter. This includes the hall and cottage.

Consideration

The statutory tests in sections 16 and 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 are the primary considerations for these listed and curtilage listed buildings.

Policy LP25 states that : -

Development proposals will be supported where they:

d. Protect the significance of designated heritage assets (including their setting) by protecting and enhancing architectural and historic character, historical associations, landscape and townscape features and through consideration of scale, design, materials, siting, layout, mass, use, and views and vistas both from and towards the asset;

e. Promote opportunities to better reveal significance of heritage assets, where possible;

f. Take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting.

Where proposals affect the significance of an asset the application must, proportionally, describe and assess significance of the asset; identify the impact the proposal would have on significance and special character of the asset;

provide clear justification for the proposal, especially if harm to significance arises, so that harm can be weighed against public benefits. Unless it is explicitly demonstrated that the proposal meets the tests set out in the NPPF, permission will only be granted for development affecting designated or non-designated heritage assets where the impact of the proposal does not harm the significance of the asset and/or its setting. Permission to alter a listed building will be granted where the LPA is satisfied the proposal is in the interests of the buildings preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the building. Development proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building.

NPPF paragraph 197 requires LPA's, in determining applications, take account of (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 199 requires, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and 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. Paragraph 200 requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Policy LP26: Design and Amenity, Policy E-4 Historic buildings and the Conservation Area states Development proposals will be expected to safeguard listed buildings in the Plan area , and Policy D-6 Design of new development reinforce the need for high quality design that conserves and enhances heritage assets.

Policy LP17 requires consideration is given to the protection and enhancement of the landscape by having regard to historic buildings.

Policy LP17, LP25, LP26, LP27 and Policy E-4 and D-6 are consistent with the NPPF and are given full weight.

Nettleham Hall is a former country house, now derelict after a serious fire approximately 80 years ago. The building is a very picturesque ruin, but if action is not taken soon to consolidate this structure, the house could be lost altogether. Adjacent is Diggers Cottage, also now abandoned but not fire damaged, and the estate is accessed by a very fine set of 18th century wrought iron gates, set within 19th century piers with flanking walls and pedestrian gates, which were listed in 1952 at grade I. The gates are in very poor condition and require specialist repairs.

Historic England and the Conservation Officer note the exceptional architectural and historic interest of the grade I listed gates and the associated heritage value of Nettleham Hall. Its significance mainly lies in its character as a 'romantic ruin' and the surviving historic fabric, some of which is finely detailed in a Classical style. Altogether the ruined hall makes a striking sight and its

scale and surviving fine architecture clearly demonstrate today that an historic, high status residence once stood at this location. There is considered to be a collective value in the gates, hall and cottage given their past interrelationship and shared setting.

Physical alterations to the hall and cottage to enable reintroduction of residential use, whilst in conflict with one criterion in Policy LP55, represents an opportunity to secure restoration of gates of exceptional architectural and historic interest that are currently in a “very bad” condition that are likely to continue to deteriorate without intervention, and to secure the future of the hall which is of high significance and the cottage which is of lesser significance. A residential presence is likely to ensure future maintenance and to provide a sense of belonging and surveillance that would deter further vandalism and theft of the gates.

A series of revisions have been secured including clarification of the extent of repairs to the gates and retention of a greater proportion of Nettleham Hall such as one of the canted bays to the southern wing, the second floor and pediment, and eastern wing portico. These amendments ensure retention of the most significant remnants of the grand country house. The proposed new elements would be clearly read as different to the surviving historic fabric which is good design and acceptable in heritage terms.

Historic England and the Conservation Officer support the principle and physical works to these heritage assets. The submitted unilateral undertaking will ensure the gates are appropriately restored, in a timely manner and that their future maintenance for 10 years will also be secured. This is a significant material consideration. A series of conditions are recommended and attached in the interests of preserving and enhancing these heritage assets. LCC Archaeology advises a historic building recording exercise is undertaken.

The restoration works to the gates are entirely positive and ensure their long term future. The proposal does not harm the gates (and seeks to preserve and enhance the heritage asset). Once properly repaired, the gates would regain much of the significance which has been lost.

The hall proposals are considered to result in less than substantial harm to its significance as a designated heritage asset. The proposal represents the optimal viable use of it and, with the reinstatement of the driveway, would also greatly enhance the setting and significance of the listed gates. Restoring the driveway and the reuse of the gateway to access to the hall, restored as a new dwelling, would also reduce the risk of further vandalism which would be a further public benefit.

The cottage proposals result in no harm to significance and represent the optimal viable use of this heritage asset. The proposal would sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation.

It should also be noted that the hall, cottage and gates are situated in what remains of a historic park (including mature trees, driveways and paths, walled garden etc) which is recorded in the Lincolnshire Historic Environment Record. The proposal entails partial restoration of elements of this historic park such as the southern lawn, reinstating driveways and walled gardens. These restorative works will further enhance the setting of the buildings.

Summary Design and Heritage

The NPPF at paragraph 48 allows LPA's to give weight to the securing the conservation of a heritage asset even where the development is in conflict with other planning policies. Policies LP 25 of the CLLP and E 4 of the Neighbourhood Plan also support the repair, retention and re-use of Listed Buildings and non-designated Heritage Assets.

These policies are to be given full weight with substantial weight given to the proposed heritage benefits.

Residential amenity

NPPF paragraph 130 requires decisions ensure development creates a "high standard of amenity for existing and future users". Policy LP26 requires proposals do not result in undue harm to residential amenity which is consistent with the NPPF and given full weight.

There would be a 55m gap between the hall and cottage. The cottage would be 35m from Hall Farm. Ample accommodation and garden space is proposed. There is a 25m gap between the hall and adjacent general purpose agricultural buildings. These do not house livestock. The proposal would provide acceptable accommodation that is not constrained by adjacent land uses. Residential amenity impacts are acceptable and in compliance with CLLP Policy LP26 and NP Policy D6

Highways

Policy LP13 requires well designed, safe and convenient access for all and that appropriate vehicle parking provision is made for development users. Policy D1 requires there to be sufficient highway capacity to accommodate the proposal. Policy D2 requires pedestrian and cycle access to the development. Policy D3 sets parking standards for 3 or 4 bedrooms = 3 spaces, 5 or more bedrooms = 4 spaces. This is consistent with NPPF paragraph 110 requiring proposals ensure safe and suitable access to the site can be achieved for all users and paragraph 111 requiring development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. These policies are given full weight.

Access to both properties would be via the reinstated secondary access and or the restored principal gated access, which have suitable visibility along this

national speed limit road and there are no highway capacity issues. Access by cycle would be possible along this road and Nettleham village centre is approximately 2km on foot along public rights of way reference Nthm/146/1 and Nthm/145/1.

The five bedroomed hall has in excess of the four car parking spaces required by Policy D3. The three bedroomed cottage has the three parking spaces required by the policy.

LCC Highways raises no objections to the proposal. Highway matters are considered acceptable.

Flood risk and drainage

The site is at low risk of all forms of flooding (flood zone 1). Foul and surface water drainage arrangements are not clarified within the application. A condition can secure final details of both in accordance with Policy LP14 and D4 to prevent pollution of the environment.

Ecology and trees

Policy LP21 is consistent with NPPF section 15 in requiring protected species are taken into account and enhancements are secured and is given full weight. Policy LP17 requires consideration is given to the protection and enhancement of the landscape and Policy LP26 requires existing planting is retained where possible and proposed planting is secured.

The submitted preliminary ecological appraisal identified barn owl was roosting in one of the eastern rooms. This is not a regular roost looking at the number of pellets on the ground. No other protected species were identified on the site. A precautionary method statement for bats is recommended. Bird, bat and lighting mitigation is recommended. Non-specific ecological enhancements are proposed. No further surveys are recommended unless works take place during bird nesting season.

The submitted arboricultural impact assessment including tree survey details some felling, pruning and clearances will be required to implement the proposals, improve the quality of retained specimens, maximise health and safety, and promote the long term integrity of the treescape. This includes the need to gain access to this overgrown site, provision of amenity space around the dwellings and discussion of the potential to retain specimen trees.

Tree loss should be expected if the site is to be brought back into use. The submitted assessment is appropriate. An arboricultural method statement should be conditioned to secure details of tree protection and driveway access installation.

Other

The proposed air source heat pump and small brick enclosure shown on the site layout are supported by Policy LP18 as a means of renewable energy production.

Conclusion

The proposal entails alterations and extensions, to form two dwellings, in the remnants of Nettleham Hall and Diggers Cottage that exceeds what is ordinarily allowed by Policy LP55 Part A.

The proposal would ensure the restoration of grade I listed gates. It would also ensure consolidation with alterations and extensions of the remnants of the hall and cottage by bringing them back into their optimal viable residential use. The proposals are supported by the NPPF paragraph 208; CLLP Policy LP25 and NP Policy E4.

The proposal is very well designed and entails substantial heritage benefits to heritage assets of national significance which are acceptable subject to conditions. These policy supported benefits are to be given substantial weight.

There would be no undue harm to residential amenity. No harm to local highways would arise. Flood risk, drainage, ecological and arboricultural matters are acceptable subject to condition.

The conflict with Policy LP55 Part A is considered to be significantly and demonstrably outweighed by the substantial heritage benefits arising from the proposal. It is recommended that planning permission and listed building consent are granted subject to conditions.

Conditions for planning permission 142751:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

2. No demolition/development shall take place on the site until a Scheme of Archaeological Works including historic building recording (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook) in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. This must enable heritage assets within the site to be recorded prior to their alteration or destruction. This scheme of works will consist of a programme of full historic building recording focusing on the hall and cottage.

Reason: To ensure heritage assets are recorded prior to their alteration in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

Conditions which apply or are to be observed during the course of the development:

3. As an initial operation an arboricultural method statement including details of tree protection during development and tree friendly driveway access installation shall have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details approved.

Reason: To ensure tree retention in accordance with Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

4. Before work begins on works of repair (including repointing), enabling works and new dwellings, of the works for that dwelling/building shall be made on site. The Local Planning Authority shall be notified in writing of their availability for inspection and shall agree the materials of those building works in writing. The approved sample panels shall be retained on site until the work is completed. Development shall proceed in accordance with the approved details.

Reason: In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

5. Prior to their use in the development, details of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. The LPA may ask that samples of each type are provided on site for inspection. Development shall proceed in accordance with the approved details.

Reason: In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

6. The repairs to the gates and stonework shall be carried out in accordance with the submitted method statement headed Nettleham Hall Gates & Railings Methodology Statement and received by the LPA in May 2021.

Reason: In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

7. Development shall proceed in accordance with the following approved drawings:

Insert Drawing Numbers

Reason: For the sake of clarity and in the interests of proper planning.

8. Development shall proceed in accordance with the mitigation measures detailed in the preliminary ecological appraisal.

Reason: To prevent harm to protected species in accordance with Policy LP21 of the Central Lincolnshire Local Plan.

9. Prior to occupation of the development a detailed scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed within 6 months of occupation of the relevant dwelling.

Reason: To secure ecological enhancements in accordance with Policy LP21 of the Central Lincolnshire Local Plan.

10. Prior to occupation of the development, details of foul and surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be installed prior to occupation of the relevant dwelling.

Reason: To ensure appropriate drainage that prevents flooding and pollution of the environment in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

11. Prior to its installation and construction details of the heat pump and enclosure shall have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

Reason: To ensure an appropriate design and impact upon the setting of heritage assets in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

12. Notwithstanding the submitted details, prior to their installation details of all means of enclosure and hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

Reason: To ensure sensitively designed means of enclosure and hard surfacing materials are installed that are appropriate to the setting of listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

13. Copies of the anthology in relation to the grade I listed gated, consisting of condition reports and details of conservation interventions, as detailed in the Methodology Statement, shall be submitted to the Local Planning Authority and Lincolnshire Historic Environment Record within three months of the work to the gates being completed.

Reason: To appropriately document the works to the gates of national significance in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

14. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), following completion of the two dwellings hereby permitted, no further alterations, additions or extensions shall be added to them unless planning permission has first been granted by the Local Planning Authority.

Reason: To ensure the impacts of such changes to these historic buildings and their setting is appropriate in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

Conditions for listed building consent 143621

Conditions stating the time by which the development must be commenced:

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

2. No demolition/development shall take place on the site until a Scheme of Archaeological Works including historic building recording (on the

lines of 4.8.1 in the Lincolnshire Archaeological Handbook) in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. This must enable heritage assets within the site to be recorded prior to their alteration or destruction. This scheme of works will consist of a programme of full historic building recording focusing on the hall and cottage.

Reason: To ensure heritage assets are recorded prior to their alteration in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

Reason: To ensure an accurate measurable record of the buildings exists for use in the development to ensure sympathetic restoration is carried out in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

Conditions which apply or are to be observed during the course of the development:

3. Before work begins on works of repair (including repointing), enabling works and new dwellings, of the works for that dwelling/building shall be made on site. The Local Planning Authority shall be notified in writing of their availability for inspection and shall agree the materials of those building works in writing. The approved sample panels shall be retained on site until the work is completed. Development shall proceed in accordance with the approved details.

Reason: In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

4. Prior to their use in the development, details of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. The LPA may ask that samples of each type are provided on site for inspection. Development shall proceed in accordance with the approved details.

Reason: In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

5. The repairs to the gates and stonework shall be carried out in accordance with the submitted method statement headed Nettleham Hall Gates & Railings Methodology Statement and received by the LPA in May 2021.

Reason: In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

6. Development shall proceed in accordance with the following approved drawings:

Insert drawing numbers

Reason: For the sake of clarity and in the interests of proper planning.

Conditions which apply or relate to matters which are to be observed following completion of the development:

7. Copies of the anthology in relation to the grade I listed gates, consisting of condition reports and details of conservation interventions, as detailed in the Methodology Statement, shall be submitted to the Local Planning Authority and Lincolnshire Historic Environment Record within three months of the work to the gates being completed.

Reason: To appropriately document the works to the gates of national significance in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report