



Appeal Decision

Site visit made on 31 October 2023

by **C Dillon BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19.03.2024

Appeal Ref: APP/N2535/D/23/3322540

Barn Cottage, Rasen Road, Tealby, Market Rasen LN8 3XL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Gavin Wraith against the decision of West Lindsey District Council.
 - The application is Ref: 146044.
 - The development is a proposed two storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council has adopted the Central Lincolnshire Local Plan (the Local Plan) subsequent to issuing its decision notice and I have made my determination against that new Plan. The main parties have had the opportunity to make their respective cases in the context of that change to the local policy context.
3. Since the appeal was lodged a revised National Planning Policy Framework (the Framework) has been published. Although I have made my determination against that updated national policy context, the relevant changes relate to formatting and do not raise any new matters which are determinative to the outcome of this appeal.
4. The appeal site is located within the 'Tealby Conservation Area'. It also falls within close proximity to several buildings listed buildings. These are Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'. Therefore, in making my decision I have borne in mind my statutory duties in respect of sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
5. The appeal site is located within the Lincolnshire Wolds, a National Landscape (the Wolds). Since the appeal was lodged the Area of Outstanding Natural Beauty (AONB) designation has been rebranded to that of 'National Landscape'. However, this change has no bearing on the application of relevant policies as part of my assessment.

Main Issues

6. The main issues are:
 - the effect of the appeal proposal on the character and appearance of the host dwelling

- whether or not the appeal proposal would preserve or enhance the character or appearance of the Tealby Conservation Area
- whether or not the appeal proposal would preserve the setting or features of special architectural or historic interest of Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'; and
- the effect on the scenic qualities of the Wolds as a National Landscape.

Reasons

Character and appearance of host building

7. The host dwelling is a converted single storey, detached, rural building. Its original strong linear roadside form returns down the slope of this site to include a more recent 1½ storey rear extension. Although its generous garden and stepped hard surfaced and gravelled areas emphasise its residential use, the building has managed to retain an agricultural appearance which adequately respects its original form, design and function as a barn, its modest scale and traditional built fabric.
8. The appeal building occupies a prominent roadside position on Rasen Road, a main route through the hillside village of Tealby. The sloping topography of the site and its surroundings, its positioning relative to neighbouring buildings and the limited height of its eastern boundary enclosure all afford uninterrupted short and medium distance public views of the extended part of the building and garden area to which the appeal proposal relates.
9. The appellant seeks to further extend the existing extension down the slope into the rear garden to provide additional ground and first floor living accommodation. The appeal proposal would be staggered in terms of its positioning relative to that existing extension and would be of a similar height and form to it.
10. However, the resulting second gable feature would introduce a sizable, uncharacteristic regularity and symmetry with the existing conjoining extension in terms of its width, eaves height and roof pitch. The further extension of this rear return would lead to an overall building depth which would be similar to the span of the existing road frontage elevation. By virtue of its proposed eaves and ridge heights above existing ground level, the appeal proposal would not reflect the prevailing low level nature and horizontal proportions of the original building. Rather, it would exacerbate the predominance of the additional storey which has been integrated into the previous extension. Furthermore, the resulting extensive solid rear elevation would not follow the building's pattern of window and door openings. The openings in the inward facing side would be out of proportion with those in the remainder of that elevation.
11. All of these aspects of the design would emphasise the proposed uncharacteristic and unsympathetic increased overall scale of Barn Cottage. Incrementally, despite its staggered positioning and limited projection, the appeal proposal would lead to a form of development which would not be subservient to the original modestly scaled rural building. Overall, externally the appeal proposal would represent a contrived design solution which would unduly disturb the more modest developed scale which currently continues to

- characterise the host building. This would be harmful to the character and appearance of Barn Cottage.
12. Although my attention has been drawn to a previously dismissed appeal for the site, that was for a different scheme and my assessment is based on the proposal now before me. I acknowledge that generous private gardens would remain and therefore the appeal scheme is not over-development of the plot. However, that does not mitigate the harm that I have identified to the character and appearance of the host building.
 13. In overall conclusion to this main issue, the appeal proposal would be harmful to the character and appearance of the host dwelling.
 14. Policy S53 of the Local Plan requires that the design of all development, including extensions to existing buildings, contributes positively to local character, landscape and townscape. Amongst other things, proposals must be based on a sound understanding of the context, integrate into the surroundings, respond to local history, culture and heritage and enhance existing character and distinctiveness and also be appropriate in terms of their scale. In view of the identified harm, the appeal proposal conflicts with that local plan policy.

Character or appearance of the Conservation Area

15. The appeal site occupies a prominent roadside position within the Tealby Conservation Area. The significance of this designated heritage asset rests in its historic and architectural evolution as a medium sized village, as defined by the Local Plan. It comprises a series of individually designed traditional dwellings, public buildings and intervening undeveloped spaces. Their collective grouping and historic architecture contributes positively to the character and appearance of this conservation area and its significance. The village has a relatively compact grain, but its mature vegetation enhances the verdancy and maturity of the area and emphasises its rurality within the wider Wolds landscape. The appeal property is however set within a larger plot to some of its immediate neighbours, providing a greater sense of space and openness to this part of the village.
16. The appeal proposal would be immediately visible upon entering the built-up form of Tealby from the east. It would also be more closely visible from around the vicinity of the junction between that road, Caistor Lane and Beck Hill. From those vantage points neighbouring dwellings Nos 2, and 4 Beck Hill would provide a 2 storey built setting. However, irrespective of the mature foreground tree cover, the resulting increased built form would reduce the existing sense of space and openness that currently exists between the appeal property and these properties.
17. This coupled with the identified harm to the character and appearance of the host building means that the appeal proposal would neither preserve or enhance the character or appearance of the Tealby Conservation Area but would harm it. That would not accord with the provisions of the Act.
18. In terms of the Framework, the appeal proposal would cause less than substantial harm to this conservation area. I afford considerable importance and weight to that harm. In line with the Framework any harm to, or loss of significance of a designated heritage asset from its alteration or destruction, or

from development within its setting should require clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. However, no public benefits have been brought to my attention to balance against and outweigh that harm to justify it. Consequently, the appeal proposal does not accord with the Framework in this regard.

19. Policy S53 of the Local Plan requires that the design of all development, including extensions integrates into the surroundings, responds to local history, culture and heritage and enhances existing character and distinctiveness. Policy S57 of that plan states that developments must protect, conserve and seek opportunities to enhance the historic environment. It states that significant weight will be given to the protection and enhancement of conservation areas. Amongst other things, where a development would result in less than substantial harm to a designated heritage asset, planning permission will only be granted where the public benefits outweigh the harm. In view of my findings, the appeal proposal conflicts with both of these local plan policies.

Setting of neighbouring listed buildings

20. The appeal site falls within the setting of Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'. Their respective special features include their architectural and historic interest.
21. Neither of the main parties have clearly substantiated their positions in respect to the effect of the appeal proposal on the settings of these important designated heritage assets. However necessarily, from the evidence before me and my site observations, I find that the appeal proposal would change the setting of these listed buildings by virtue of the scale, form and design of the proposed extension. However, due to the appeal scheme's particular juxtaposition with each listed building which would be governed by its positioning, its finished ridge height and changes in the surrounding sloping topography and also the absence of evidence to indicate any mutual historical functional connection, there is nothing before me to deduce that this change would be harmful to the special features of architectural or historic interest of any of these listed buildings.
22. For these reasons, the appeal proposal would preserve the setting or features of special architectural or historic interest of Grade I listed 'Church of All Saints' as well as Grade II listed 'The Vicarage, Caistor Lane', 'School, Tealby' and 'School House and attached cottage'. Consequently, the appeal proposal would accord with the Act in that regard. Furthermore, there would be no conflict with the Framework or with Policies S53 and S57 of the Local Plan in this regard.

National Landscape

23. The scenic qualities of the rural landscape of this part of Central Lincolnshire, with its sweeping character and famously big skies, is a highly valued asset throughout the area and contributes greatly to the local distinctiveness and attractiveness of the Wolds as a National Landscape.
24. Neither of the main parties have clearly substantiated their positions in respect to the effect of the appeal proposal on that National Landscape. However, the

character and appearance of this conservation area is an integral part of that important designation. In the absence of any evidence to the contrary, I necessarily conclude that the identified harm to the character and appearance of the host building would transfer to and cause very localised harm to the scenic qualities of the Wolds.

25. For these reasons, the appeal proposal would cause some limited harm to the scenic qualities of the Wolds as a National Landscape.
26. Both the Framework and Policy S62 of the Local Plan require that great weight should be given to conserving and enhancing the landscape and scenic beauty of this important designation. Furthermore, Policy S62 of that plan requires that existing historic features that contribute to the special quality of the landscape should be retained and enhanced. Proposals which will result in an adverse impact on this designation, or which fail to demonstrate that they will not have an adverse impact taking into account any mitigation proposed, will not be supported. In view of my findings, the appeal proposal conflicts with both these national and local plan policies.

Other Matters

27. The appellant's concerns about how the Council dealt with the planning application is not a matter for this appeal. The absence of objections from the local community and local Member of Parliament do not alter the harm identified. The appellant's pursuit of further accommodation to enable him to continue to meet his family's needs at the site is a personal benefit rather than a public one and so carries very negligible weight in the planning balance.

Planning balance

28. I have found harm to the character and appearance of the host building. I have also identified harm to both the character and appearance of the Tealby Conservation Area and to the Wolds National Landscape which each carry great weight. Collectively, these harms are of a nature and scale that leads me to conclude that the appeal proposal conflicts with the development plan taken as a whole. There are no matters before me which outweigh this conflict.

Conclusion

29. For the reasons given, and having had regard to all matters raised, I conclude that the appeal should fail.

C Dillon

INSPECTOR