



## Appeal Decisions

Site visit made on 15 May 2024

**by K Stephens BSc (Hons) MTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 26 June 2024**

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### **Appeal A Ref: APP/N2535/W/23/3332742**

#### **Manor House, Manor Lane, Burton, Lincoln, Lincolnshire LN1 2RD**

- 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 Ralph Green against the decision of West Lindsey District Council.
  - The application Ref is 147046.
  - The development proposed is single storey extension to the west elevation.
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### **Appeal B Ref: APP/N2535/Y/23/3332748**

#### **Manor House, Manor Lane, Burton, Lincoln, Lincolnshire LN1 2RD**

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
  - The appeal is made by Mr Ralph Green against the decision of West Lindsey District Council.
  - The application Ref is 147047.
  - The works proposed are single storey extension to west elevation.
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### **Decisions**

1. **Appeal A:** The appeal is dismissed.
2. **Appeal B:** The appeal is dismissed.

### **Preliminary Matters**

3. The two appeals concern the same scheme under different, complementary legislation. I have therefore dealt with both appeals together in my reasoning to avoid unnecessary duplication.
4. A revised version of the National Planning Policy Framework (the Framework) was published in December 2023 and replaces the previous version. However, as any policies in the Framework that are material to this decision have not fundamentally changed, apart from some paragraph numbering, I am satisfied that neither party would be prejudiced by my consideration of the revised Framework in reaching my decision.

### **Main Issues**

5. The proposal relates to a listed building within a conservation area. The reasons for refusal do not refer to the effects of the proposal on the character or appearance of the conservation area. I have statutory duties under sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) with regards to the listed building, and under section 72(1) of the Act with regards to the conservation area.

6. The Council refers to the Manor House being located within the Burton Conservation Area (the CA) but has not undertaken an assessment of the impact of the proposal on it and has not submitted any appeal statements. However, the appellant has assessed the effect on the CA in their Heritage Impact Assessment (HIA) submitted with the applications, and in doing so the Council is aware of the appellant's stance on the matter.
7. In light of the above and my statutory obligations the main issues in this appeal are whether the proposal would i) preserve the Grade II listed building known as Manor House, or any features of special architectural and historic interest which it possesses, and ii) preserve or enhance the character or appearance of the CA.

## **Reasons**

### *Special interest and significance of the heritage assets*

8. According to the official list entry<sup>1</sup> Manor House is a Grade II listed building. It dates from the late 18<sup>th</sup> century, possibly earlier, with early 19<sup>th</sup> and 20<sup>th</sup> century alterations and additions. It is two storeys with attic, built of coursed limestone rubble with a slate roof and brick gables.
9. It is clear from the evidence that the building has had a phased evolution. The listing refers to an 'L' plan and the appellant's HIA also makes reference to a 'T' plan with later extensions and alterations. The south elevation facing the road was initially the front, but the east elevation facing Manor Lane later became the entrance with the addition of a porch. From the evidence, including the building's large form and massing, the large garden setting and map regression it is reasonable to conclude the Manor House is more high status than some other properties in the village.
10. I am also advised that as a result of a fire in April 2001, the Manor House was extensively rebuilt and restored and much of the building's load-bearing construction, fittings and finishes are entirely modern. The appellant describes that a westerly extension and alterations resulted in extensive internal changes to the historic fabric, such as reorganisation of floor layouts, partial demolition, and creation of doorways alongside the extension of the building. There is little evidence to describe or show what parts of the building were affected by fire - the indicative phasing shows the existing garden room and kitchen being later 20<sup>th</sup> century additions but excludes rebuilt phases. The Council has not commented on any of the fire-damaged works and neither party refers to or lists any subsequent planning and/or listed building consent applications for the existing kitchen and garden room extensions or any works undertaken after the fire.
11. Nonetheless, the building remains listed and some of the features described in the official listing are still apparent. There are ashlar quoins and dressings, some of which are currently obscured by the existing extension on the west elevation. The two brick prominent gable stacks on the western elevation use tumbled red bricks around the gable edges, which the HIA explains to be a vernacular decorative technique used across parts of Lincolnshire and are of high interest. I saw they were a highly visible decorative feature that provide a strong contrast to the limestone facing material, further enhanced by the

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<sup>1</sup> National Heritage List for England: List entry number 1064100

staggered alignment of the gables. I concur with the appellant's HIA that although the west elevation has seen more piecemeal development over the years, it nonetheless remains a positive and striking aspect of the building's character. Furthermore, the south elevation has large bay windows and large sliding sash windows above them. However, most other windows on the building are smaller and there is limited fenestration overall such that the building has a low solid-to-void ratio. Despite a number of alterations over time, the historic core and phased evolution of the building is still legible to a degree from the exterior.

12. Overall, the special interest and significance of the listed Manor House, insofar as it relates to these appeals, are largely derived from the building's architectural and historic interests. The building's age, surviving historic fabric and legibility of its phased development, together with its locally distinctive decorative features and use of traditional materials and construction make important contributions in these regards.
13. The building lies within the CA, towards the northern boundary. The village was mentioned in the Domesday Survey, but the suffix 'ton' suggests older beginnings, possibly from invasions by the Viking and the Danes. For some 200 years, up until the village was sold in 1951, Burton was an estate village under the patronage of the Monson family who lived in the nearby Hall. There are a variety of buildings of different ages, designs and sizes, including simple terraced cottages and larger dwellings such as Manor House and Burton Hall. The Manor House is pictured in the CA Appraisal as a 'prime example' of views of verdant open spaces within the village, and which is described as being an important part of the CA's character, even if the spaces are not public.
14. Given the above, the character and appearance, and thus special interest and significance of the CA, insofar as it relates to these appeals, is derived principally from the preservation and legibility of its historic street pattern, buildings and spaces that reflect the evolution of Burton and later as an estate village located in a rural context. The listed Manor House is a prominent and integral component of the village and its social evolution and displays use of traditional materials and vernacular architectural detailing distinctive to Lincolnshire. Its heritage merit as well as its aesthetic charm means the listed building positively contributes to the character and appearance of the CA as a whole, and thereby to its significance as a designated heritage asset.

*Appeal proposal and effects on the listed building*

15. The proposal would involve demolishing a series of modern extensions, namely the flat roofed 'garden room' and the kitchen in-fill extension with dual-pitched roof, both on the west elevation. The garden room would be replaced by an open plan living/dining area and the kitchen extension would be replaced by another kitchen extension. The two extensions would be flat-roofed and would be linked together as a unified single wrap-around extension across the entire west elevation.
16. The existing garden room is flush with the south elevation of the property, which was historically the front of the dwelling. There are some discrepancies with the plans as the existing fenestration does not match with what is currently installed. On the south elevation the existing extension currently has two large '8 over 8' sliding sash windows yet the plans appear to show these to

- be fixed multipaned windows<sup>2</sup>. At first floor on the main south elevation there are three '6 over 6' sliding sash windows<sup>3</sup>. Despite these discrepancies, the proposed extension would have three '6 over 6' sliding sash windows that would better reflect the design and rhythm of the existing fenestration.
17. The proposed extension would also be set back from the south elevation of the property. This would allow the existing quoins to be revealed and better appreciated and allow the extension to be more subservient to the south elevation and in turn help reinstate the primacy of the building's historic core.
  18. Nevertheless, on the west elevation the extension would have a much larger footprint and extend much further along the elevation than the existing 'garden room' does. The new 'living' area would extend as far as the return of the first stack gable. However, the orangery-style central feature, with its three large full height sash windows, would over sail the return of the second gable. The next fully glazed component would also over sail the return with the main house. The proposed kitchen extension would fit between the outrigger (containing the boiler room) and the new dining room extension but would also fail to align with the natural breaks in the building.
  19. This series of misalignments with key breaks in the building would create an awkward and unsympathetic response to the rhythm of the west elevation. The awkwardness would be compounded by the design of the extension, which would read as a series of separate but connected stone and glazed components of varying heights, widths and design that would extend across almost the entire west elevation. The stop-start nature of the design would have little regard for the rhythm and breaks in the existing elevation.
  20. Furthermore, the proposed extension would introduce larger vertical expanses of full-height glazing separated by relatively tall and thin solid sections. This would disrupt the solid-to-void ratio of this elevation and further exacerbate the awkward alignment of the extensions. Whilst glazing can be used to create light-weight structures and indicate junctions between older and new building fabric, in this instance it is used unsuccessfully to break up the various sections of a continuous new façade.
  21. From the submitted evidence, including the appellant's indicative phasing of the building, the extension on the west elevation would be added to the oldest part of the building dating from the 18<sup>th</sup> century and possibly earlier. The proposed extension would wrap around this older part of the building and reduce the gap between the boiler room outrigger. This would make the floorplan more rectangular and dilute the legality of the more historic 'T' and 'L' plan forms and phasing of the building.
  22. Furthermore, the proposed extension would conceal more of the historic fabric on the west elevation by extending across the second gable stack, which the existing garden room does not do. The large areas of glazing, which might allow views through to the main building, would not compensate for the extent of concealment that would occur. The proposed extension would thus reduce the integrity and authenticity of how the building is read and would erode the building's heritage interests.

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<sup>2</sup> Erroneously shown as 20-pane windows on Drawing no.(08)006

<sup>3</sup> Erroneously shown as '8 over 12' sliding sash windows on Drawing nos.(08)006 and (08)013

23. Whilst the contemporary design of extension would be a legible modern phase of intervention, the use of precast stone dressings for cills, window surrounds, parapet cornice and string course and an unspecified 'grey roof covering' causes me to question the quality of materials that would be used. It is not clear whether the door and window frames would be powder-coated aluminium, although the fascias and soffits would be, and hence it is unclear what would surround the timber sliding sash windows. Whilst materials can be conditioned should the appeals be allowed sufficient detail should be included with the applications to allow a full assessment of the impact of the proposal. Consequently, the mix of traditional and contemporary design and materials do not sit comfortably with the host property.
24. However, part of the external wall of the west elevation has already been removed by the more recent kitchen extension. Internally, a single upright masonry pier, around which the existing kitchen island has been constructed, and decorative overhead timber beam would be removed. I saw that the pier and mock beam above are on the line of a likely main external wall that has been removed. The proposal would introduce a wall nib at each end of the existing opening to indicate the alignment of the old wall once the pier is removed. As this opening has already been created, there would be no loss of historic fabric. In addition, replacing the modern dual-pitched roof over the kitchen with a flat roof would reveal the windows and cills of the first floor windows directly above. This would offer an enhanced appreciation of these features and be a betterment to the west elevation.
25. The appellant contends that the extension would be reversible. Theoretically that might be the case, however I consider it highly unlikely. In any event the proposal would cause harm whilst it is in situ.
26. Drawing the various points together, the cumulative effects of the variation of roof heights, the over sail of breaks in the building, the uncomfortable mix of styles, fenestration patterns, materials, concealment of historic fabric and the overall size of the extension would create a proposal that would not assimilate well with the host building, and in particular would detract from and undermine the prominent west elevation, which the appellant himself regards as a positive aspect of the building's character. Despite some revelation of other features and no removal of historic fabric, overall I find the proposed extension would be of a design, size, scale and form that would fail to preserve the Grade II listed Manor House and hence would harm its significance as a heritage asset.

*Appeal proposal and effects on the CA*

27. In light of my aforementioned duties, I must pay special attention to the desirability of preserving or enhancing the character or appearance of the CA.
28. Manor House is set well back from the road and is largely screened by mature vegetation within the landscaped grounds. Nonetheless, as one of a number of listed buildings within the CA, Manor House is an integral and important element of its character and appearance.
29. It follows that the harmful effects I have identified to the heritage interests of Manor House would fail to preserve or enhance the character and appearance of the CA and would result in some residual harm to its significance.

*Public benefits and heritage balance*

30. The Framework states at paragraph 195 that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Paragraph 205 states that 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. Paragraphs 207 and 208 set out that, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed.
31. The harm to the significance of the listed Manor House would be 'less than substantial', as would the harm to the CA. This harm carries considerable importance and weight. Under such circumstances, paragraph 208 of the Framework requires the harm to be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
32. There would be some economic benefits to the wider local economy from jobs and spend during the construction phase. The proposed extension would see the removal of the modern dual-pitched roof over the kitchen that would in turn reveal the existing first floor windows and their cills. The 'set back' of the extension from the south elevation would reveal more of the historic fabric of the building and create a better subservient relationship between the extension and the host property. Hence the proposal would create some betterment and allow greater appreciation of some aspects of the historic fabric of the building. These would be public benefits.
33. Public benefits can also include works to a designated heritage asset to help secure its future. There is no substantive evidence before me that demonstrates that the proposal is necessary to secure the continued use of the building as a dwelling or that the use of the building would be at risk if the appeals were to fail. In other words, the building is already in use as a dwelling and that use would not cease in the absence of the proposed extension.
34. I acknowledge that the proposal would increase the ground floor accommodation to help offset the use of one of the principal ground floor rooms as an ensuite bedroom, which I saw already existed, and potentially improve the usability and connectivity of the ground floor accommodation. The ground floor was spacious with a large hallway and several reception rooms, including the existing garden room that was large enough to accommodate a 16-18 seat dining table at the time of my visit. There was a sizeable and functional kitchen/breakfast room, plus other ancillary rooms for use as separate utility and laundry rooms, and a study. Removing the dual pitched roof over the kitchen would also improve the outlook from the upper floor windows for the benefits of occupants of those rooms. However, these changes would be for the preference of the appellant and hence of a private, not public, benefit.
35. The identified public benefits weigh in favour of the appeals. However, the weight I ascribe to them is not sufficient to outweigh the considerable importance and weight I attach to the harm that would occur to the significance of the listed building and the CA as designated heritage assets. Accordingly, the proposal would fail to preserve the Grade II listed building known as Manor House, or any features of special architectural and historic interest which it possesses, and would not preserve or enhance the character

and appearance of the CA. As a result the proposal would fail to satisfy the requirements of the Act and the Framework.

36. The proposed development would also conflict with Policy S57 of the Central Lincolnshire Local Plan<sup>4</sup>, which seeks, amongst other things, to protect the significance of heritage assets and enhance the historic environment of Central Lincolnshire.

### **Other Matters**

37. There are other listed buildings in the vicinity of the appeal site, indicated in the CAA and referred to in the appellant's HIA, but which the Council does not comment on. Mindful of my statutory duty set out in section 66(1) of the Act, I have had special regard to the desirability of preserving their settings.
38. From the evidence before me and my observations on site, the special interest and significance of these assets largely stem from their architectural and historic interests but are also derived in part from their well-defined immediate settings as well as their wider rural village settings. Given the nature and extent of the proposal, I consider that the settings of these other designated heritage assets would be preserved, and the significance of the assets would not be harmed. The Council has raised no concerns in this regard either.

### **Conclusions**

39. Appeal A: The proposed development would conflict with the development plan. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
40. Appeal B: For the reasons given, I conclude that Appeal B should be dismissed.

*K Stephens*  
INSPECTOR

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<sup>4</sup> Adopted April 2023