



Appeal Decision

Site visit made on 4 November 2024

by H Marriott MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th December 2024

Appeal Ref: APP/A2525/W/24/3343382

Bridge House, Northgate, Pinchbeck, Spalding, Lincolnshire PE11 3SE

- 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 Steve Wright (Oakland Homes) against the decision of South Holland District Council.
 - The application Ref is H14-0781-23.
 - The development proposed is demolition of Bridge House and proposed replacement dwelling and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site is located in close proximity to the Grade II listed buildings known as Glen House, The End Cottage and The Ship. In considering whether to grant planning permission, I have been mindful of my statutory duties under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. Whilst the Council's decision notice refers only to Glen House, listing details for the other two listed buildings referred to above have been provided. On this basis, the main parties were asked to comment on the significance of The End Cottage and The Ship, whether the appeal site is within their setting, and if any harm would result to them by virtue of the proposed development. Consideration of the effects of the proposed development on the settings of The End Cottage and The Ship therefore form part of the second main issue.
4. A revised National Planning Policy Framework (the Framework) was published on 12 December 2024, which I have had regard to as a material consideration in my decision making. In this instance, the issues most relevant to the appeal remain unaffected by the revisions to the Framework. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework, and that no party would be disadvantaged by this.

Main Issues

5. The main issues are:
 - the effect of the proposed development on the character and appearance of the area, including the effect of the proposed demolition of Bridge House;

- whether the proposed development would preserve the settings of the Grade II listed buildings known as Glen House, The End Cottage and The Ship; and
- the effect of the proposed development on the living conditions of neighbouring occupiers with particular regard to privacy.

Reasons

Character and appearance

Site Context

6. Northgate is a rural route containing some ribbon development leading west and over a bridge across the River Glen away from the settlement of Pinchbeck. Various farmsteads, isolated dwellings and commercial premises are located along the route and the wider area. Glenside South is a route located on the south side of the river and sits parallel to part of Northgate. It contains a row of buildings of varying age and design fronting the street and river, including The End Cottage. There is a distinct curve in the route as it passes over the river with historic buildings including The Ship public house, the river, large water tower and open fields representing distinctive features in the area. Agricultural land is the dominant land use beyond and the spacing of the varied pockets of built form with undeveloped spaces and natural landscape features around them are unifying characteristics that make a positive contribution to the rural character and appearance of the area.
7. The appeal site contains a modest sized vacant two-storey detached dwelling (Bridge House) which sits gable side onto Northgate and the river on a spacious triangular shaped plot to the north of the river. The boundary of Bridge House adjacent to the curved footway along Northgate contains a mixture of hedgerow, a wooden picket fence and a low wall. Trees and overgrown shrubs substantially screen the lower parts of the building. Despite being located at a lower level than the footpath which runs along the top of the riverbank, it is a prominent building visible from parts of Northgate and Glenside South and its rustic aesthetic positively contributes to the rural character and appearance of the locality.

Demolition and replacement of Bridge House

8. Policy 22 of the South East Lincolnshire Local Plan 2011-2036 (2019) (SELLP) requires replacement dwellings in the countryside to only be permitted subject to the original building not being of architectural or historic merit and not being capable of repair, it being positioned on a similar footprint, being a high standard in terms of architectural detailing, materials and construction, and it not exceeding the floor area of the original dwelling by more than 40%.
9. The appellant suggests that Bridge House should not be regarded as a non-designated heritage asset (NDHA) because a decision to identify it has not been made in a way that is consistent with the identification of NDHA's included on the local heritage list. However, the Planning Practice Guidance is clear that NDHA's can be identified when determining applications. The absence of Bridge House from the local list does not mean it cannot be regarded as an NDHA.
10. The Council confirm that Bridge House is relatively unmodernised and is recorded on historic mapping dating back to the 1880s, and potentially 1815.

Its age is therefore an important element of its historic interest. Its traditional construction is also distinctive to the local characteristics and building traditions of that time. Its significance is therefore derived from its historic value as an example of a vernacular domestic building that has been altered very little over time, its spacing set within a generous plot adjacent to the river and its historic relationship with nearby listed buildings.

11. Bridge House has been unoccupied for some time, and the appellant's Visual Structural Inspection and Report lists structural issues with the building and extensive repair works required. Even though the current state of repair of Bridge House reduces its level of significance, I agree that it is an NDHA and have treated as such in the determination of the appeal. Whilst acknowledging the likely high cost of repairs, the appellant has not suggested that the building is incapable of refurbishment.
12. The proposed 5-bed dwelling with triple garage and playroom/garage above would have a much larger sprawling footprint compared to the building it would replace. There is no dispute between the parties that the proposed dwelling exceeds the floor area of the original dwelling by more than 40% and there is nothing to suggest that it would be of exceptional quality or innovative in nature. Its complex roof design including dormer features, overhanging roof feature with first floor terrace, external staircase and attached triple garage with floorspace above would result in a cluttered appearance and a more dominant roof form and massing compared to the building it would replace.
13. Whilst the replacement dwelling would be broadly positioned on the same footprint as Bridge House and could utilise materials in keeping with the local vernacular, its significantly larger size and positioning closer to the river with large sections of glazing would make it more striking in public views from the footpath along the riverbank and from both Northgate and Glenside South in particular. Its overtly modern appearance and use of contemporary features would not be reflective of the modest farmhouses that are more typical of the surrounding area resulting in a visually intrusive development in the locality. The space remaining for existing and proposed landscaping around the replacement dwelling would not be sufficient to mitigate the harmful visual effects.

Summary

14. The Framework is clear that the effect of an application on the significance of a NDHA should be taken into account and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset. Even though Bridge House has a low level of significance, the scale of the harm caused by its demolition and replacement with an unsympathetic built form to the character and appearance of the area would not be justified. Historic building recording prior to demolition of Bridge House, would not overcome the harm that the current proposal would cause.
15. I conclude that the proposed development would have a harmful effect on the character and appearance of the area. It would also result in loss of the significance of Bridge House as an NDHA through its demolition. In this regard, the proposed development would conflict with Policies 2, 3, 22 and 29 of the SELLP including the criterion for replacement buildings specified above and the size, scale and character and appearance requirements including the requirement to mitigate the extent of the harm to the significance of the NDHA.

16. For the same reasons, the appeal proposal would conflict with the Framework, notably paragraphs 135 c), and 187 b), which seek to ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting and recognise the intrinsic character and beauty of the countryside.

Listed building settings

Glen House and The End Cottage

17. The Grade II listed building known as Glen House comprises an early 19th Century three-bay, three-storey red brick dwelling with slate roof and two brick gable stacks fronting Northgate. The significance of the listed building is derived from its age, surviving historic fabric and grand appearance on a spacious plot facing towards the river.
18. The Grade II listed building known as The End Cottage comprises an early 18th Century house which fronts onto Glenside South. It is two-storey with a garret and its brick coped tumbled gable faces the river. The significance of the listed building is also derived from its age, historic fabric and prominent position overlooking the river and is further informed in part by its distinctive architectural features and form.
19. The prominent position of both of these listed buildings facing towards the river increases the sensitivity of their setting. The intervisibility between these buildings alongside and within views of the river positively contributes to the rural context in local views and forms part of the surroundings within which each of these listed buildings is experienced. Due to its modest size and historic interest, Bridge House has a neutral impact on the settings of these listed buildings.
20. Glen House is located diagonally and on the opposite side of the road to the appeal site. Even though a high conifer hedge screens most of the frontage of Glen House, this hedge could be removed at anytime. Indeed, the glossary of the Framework states that the extent of a setting is not fixed and may change as the asset and its surroundings evolve.
21. The Council suggests that The End Cottage relies far less upon its setting to contribute to its character as it already exists nestled within historic (and some modern) residential development. However, its end position means that it is a highly prominent building in views from Northgate, the river and the appeal site. The side elevation of End Cottage partially screen views of the more modern development including Briarfield, a large detached dwelling in view from the bridge, which is set back from the frontage of End Cottage along Glenside South.
22. The proposed development would be highly conspicuous within the setting of both listed buildings, including through its significant footprint and height which would have an enclosing impact of built form closer towards the banks of the river. The height of the replacement dwelling would dominate the riverside edge, thereby reducing the prominence of The End Cottage and competing with the grandeur of Glen House. Consequently, the proposed development would unacceptably erode the rural character that provides the setting of Glen House and The End Cottage and would impede the ability to experience their significance from their respective settings.

The Ship

23. The Grade II listed building known as The Ship public house which was originally constructed in the 17th Century with later alterations and extensions. It has a thatched roof, rendered brick, tile coped gables and three gable stacks and its significance is derived from its authenticity as well as its well preserved attractive traditional detailing. Having considered the nature of the proposed development and relationship between the appeal site and The Ship, I am satisfied that no harm to the significance of this building or its setting would arise due to it siting side on to the river within a more visually contained setting.

Heritage Balance and Summary

24. The proposed development would preserve the setting of the Grade II listed building known as The Ship. However, for the reasons set out, the proposed development would not preserve the settings of the Grade II listed buildings known as Glen House and The End Cottage. It follows that the proposed development would fail to accord with the statutory presumption under Section 66(1) of the Act and there would be harm to the significance of these two listed buildings.
25. Given the scale and nature of the proposal, the degree of harm to the significance of the listed buildings would be less than substantial. Paragraph 215 of the Framework states that this harm should be weighed against the public benefits of the proposal.
26. Public benefits would be derived through the provision of a replacement dwelling that is in a poor state of repair on a brownfield site, with a new dwelling that would be more flood resilient and meet modern standards including enhanced energy efficiency, reduced water consumption, better thermal and damp proofing. There would be some economic benefits associated with the construction phase.
27. Even cumulatively, the wider public benefits associated with the proposed development would be modest and carry moderate weight in favour of the proposal. The Framework states that great weight should be given to the conservation of a designated heritage asset, irrespective of whether there would be less than substantial harm to significance. The weight of public benefits in favour of the proposed development would not be sufficient to outweigh harm to the significance of the designated heritage assets identified.
28. The proposed development therefore fails to accord with the historic environment protection policies of the Framework. Conflict also arises with Policies 2, 3 and 29 of the SELLP insofar as development is required to meet sustainable development considerations including in relation to the impact on historical buildings and assets, to create a sense of place by complementing and enhancing designated heritage assets and for proposals that affect the setting of a listed building to preserve or better reveal its significance.

Living Conditions

29. The main side elevation of a bungalow, known as Cor-Den, contains two windows which face towards the appeal site. Due to its spacious plot, the occupiers of Cor-Den are afforded a reasonable degree of privacy although views can currently be achieved by users of the adjacent rights of way towards

its side and rear elevation and garden, and from the windows in the rear of Bridge House.

30. The elevation of the proposed dwelling located closest and facing directly towards Cor-Den would contain an obscure glazed en-suite window. At ground floor level in the same elevation, windows serving an open plan kitchen/family room would face towards the boundary of Cor-Den and any overlooking that could occur through gaps in the hedgerow along this boundary could be effectively mitigated through a condition requiring new boundary treatments. All other windows, including views from the proposed balcony would be positioned further away from the boundary or would be at a sufficiently oblique angle to ensure that an increased level of overlooking and associated loss of privacy would not result.
31. Due to the position of the proposed dwelling on the opposite side of the road from Glen House and the resultant separation distances, the occupiers of Glen House would continue to have a reasonable level of privacy, even if the hedge around its frontage were to be removed in the future.
32. I conclude that the proposed development would not result in a harmful effect on the living conditions of neighbouring occupiers with particular regard to privacy. In this regard the proposed development would not conflict with Policies 2 and 3 of the SELLP which require sustainable development considerations to be met specifically in relation to relationships with existing development to secure residential amenity.

Other Matters

33. I find no particular conflict with Policy 1 of the SELLP referred to in the Council's decision which relates to the spatial strategy for the area in respect of any of the main issues. Even so, this does not alter the harm to the character and appearance of the area and the settings of the listed buildings identified.
34. Bridge House could be extended under permitted development rights (PD rights). However, the indicative floorplan illustrating this would result in a markedly different design compared to that before me. Therefore, whilst extensions and alterations to Bridge House may be possible under permitted development rights, this does not justify the harm identified in this case.
35. The appellant suggests that there would be no conflict with the supporting text to Policy 22 of the SELLP. However, for the reasons set out the proposed development would clearly conflict with the policy requirements. My attention has also been drawn to the dispersed settlement boundary for Tongue End. The appellant suggests that the appeal site is similarly located on the urban edge of a settlement and an exceedance of the floorspace allowance in Policy 22 of the SELLP taking into account PD rights should be allowed on this basis. However, the appeal site is not located in Tongue End and is located outside of the settlement boundary for Pinchbeck as defined in the SELPP.
36. Even if the Council did not identify Bridge House as a NDHA in pre-application advice, it is not bound by informal comments made at pre-application stage. Furthermore, the Officer report relating to a previously refused planning application on the appeal site (Council ref: H14-0989-22) refers to the existing building as a non-designated heritage asset. In any event for the reasons

described, I have concluded that the appeal building should be regarded as a NDHA based on the evidence before me.

37. My attention has been drawn to the Council's approval of the dwelling known as Bryfield on Glenside South (Council ref: H14-0227-18) which has a similar lightweight staircase to the appeal proposal. Whilst no precise details of the planning circumstances of this scheme have been provided, it is noted that Bryfield is more discreetly located between buildings and its staircase is to the side of the detached garage, and to the side of the main house. My attention has also been drawn to modern extensions to The Keep on Herring Lane and other more modern development including the water tower. These examples are not directly comparable to the proposed development. In any event, the appeal has been decided taking into account my own statutory duties as the decision-maker for this appeal and the site-specific circumstances of the proposed development.
38. The loss of a smaller dwelling to cater for any particular housing need in the area or housing land supply are not matters in dispute. Even so, this does not overcome the harm identified with respect to the main issues.

Conclusion

39. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

H Marriott

INSPECTOR