



# Appeal Decision

Site visit made on 3 May 2022

by **Zoe Raygen DipURP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 MAY 2022

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**Appeal Ref: APP/Z2505/W/21/3281513**

**The Old Vicarage, U Haul, Main Road, Wigtoft, Boston PE20 2NJ**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
  - The appeal is made by Mr G Scrupps against the decision of Boston Borough Council.
  - The application Ref B/21/0066, dated 13 February 2021, was refused by notice dated 8 April 2021.
  - The development proposed is an outline application including access with all other matters reserved for residential development of the site (up to 5 dwellings).
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The planning application the subject of this appeal was an outline application with all matters reserved for future consideration except for the means of access. There are four layout plans which show how the site could accommodate five dwellings and two showing six dwellings submitted for illustrative purposes only. I have considered the appeal on the same basis, noting that the proposal is for up to 5 dwellings only.

## Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the local area bearing in mind the special attention that should be paid to the desirability of preserving the setting of nearby listed buildings, and the extent to which it would preserve or enhance the character or appearance of the Wigtoft Conservation Area.

## Reasons

### *Significance*

4. The Old Vicarage is a well preserved early nineteenth century two storey building with a hipped slate roof and is listed grade II. It has a single storey rear offshoot and curtilage buildings having the form of historic stable/coach house to the east with their own entrance way from Main Road. There seems no dispute that these are curtilage listed. From the evidence before me, and my observations on site, I see no reason to disagree. These buildings retain most of their original features and openings revealing their former use
5. The Old Vicarage is located within a substantial garden forming its immediate setting. The buildings themselves are set well back from the road and fairly centrally within the large plot giving a sense of space. The grounds are, in the

main, well landscaped, giving a sense of seclusion to the listed building which is mainly glimpsed through the tree cover. The outbuildings are more visible with direct views through their separate access from Main Road.

6. Much of the significance of the buildings derive from their age and architectural quality. They have historic value as a former vicarage with stables. The spacious, yet secluded setting of the Old Vicarage contributes to that significance allowing an appreciation of the status of its former use, contrasted with the more open and spacious setting of the curtilage listed buildings.
7. The Wigtoft Conservation Area (CA) is centred around the Parish Church of St Peter and Paul a Grade I listed building that is set back from Main Road behind its graveyard. This together with the field adjacent and the grounds of the Old Vicarage opposite provides a significant focal area of open space. Buildings are generally two storeys in height and are mainly set back from the wide road behind verges and gardens adding to the spacious, verdant appearance of the CA. There are various styles of architecture and a mixture of materials so while there are a number of traditional buildings of a domestic scale there is little sense of overall cohesion in the built form. The significance of the CA in so far as it relates to this appeal is the relationship between the buildings and space together with the verdant quality of views within the CA.
8. The appeal site forms part of the garden area of The Old Vicarage and is mainly open grassland. At the time of my site visit trees had been felled around the access to the appeal site and therefore it has a very open character behind a front boundary formed by a hedge and wall. However, trees the subject of a Tree Preservation Order (TPO) are retained around the western side of the site entrance. As a whole therefore, the appeal site contributes positively to the setting of the listed heritage assets and the spacious verdant character and appearance of the CA.

#### *Effect*

9. The indicative plans show a number of ways of accommodating the proposed houses on the appeal site, mainly in a row set back from the road with the car parking to the side, approached from the existing access. In this way the front wall and hedge would be capable of retention. The line of houses would also continue the pattern and layout of housing to the east of the appeal site.
10. However, the number of houses proposed would lead to a large part of the frontage to be developed, considerably eroding the open spacious character and appearance in this location and reducing the focus of open space within the CA and the spacious setting of the Old Vicarage and curtilage listed buildings. Furthermore, due to the number of houses, a relatively large area of car parking would be required. While this would, to an extent, be accommodated on an existing area of hardstanding, it is difficult to see how extent of the area required would not intrude into the protected trees. There is no information before me regarding whether they would be capable of retention or how parking could be provided without impacting on the root system of protected trees, given its proposed proximity. Any loss of these trees would be harmful to the verdant character and appearance of the area and erode the seclusion of the Old Vicarage.
11. Although there is some distance between the listed building and the appeal site, the parking element of the proposal would be sited directly in front of the

- curtilage listed buildings. While direct views would still be available to the building, they would be cluttered by cars, within the context of a suburban style parking area. There would also be the potential for the erection of boundary treatment, which would physically sever the entranceway from the historic buildings it would have served, causing harm to their setting and therefore significance.
12. There is one proposed layout which shows a line of houses end on to Main Road with parking in a similar location to the others. This layout would lead to similar issues as outlined above. Furthermore, the provision of end on housing would be contrary to the established pattern and layout of housing in the area which generally faces the road. It would, therefore, be obtrusive in the streetscene and harmful to the character and appearance of the CA.
  13. I acknowledge that the proposal is for up to 5 houses. While theoretically that would allow for a lower number of houses on the site, given the description, the principal of 5 houses would have been agreed. Furthermore, even though the proposal is in outline form and the plans indicative only, given the constraints to the site formed by the established character and appearance of the area and the heritage assets, I would need to be convinced that 5 dwellings could be accommodated without causing harm. This has not been achieved.
  14. In that context, I find that the proposal would fail to preserve the special interest of the listed building and curtilage listed building and the significance of the CA. In the terms of the National Planning Policy Framework (the Framework) I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
  15. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal. The proposal would provide up to 5 new dwellings which would contribute to the Government's aim to significantly boost the supply of housing in a relatively accessible location. There would also be economic benefits associated with construction jobs and the contribution of future residents to the local economy. However, these modest benefits would not be sufficient to outweigh the harm caused to the significance of the heritage assets.
  16. For the reasons above, I conclude that the proposal would harm the character and appearance of the local area and fail to preserve the setting of listed heritage assets and the character or appearance of the Wigtoft Conservation Area. It would therefore be contrary to policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2011-2036) 2019 and the Framework. These require that development is appropriate to the local area, improves the character and quality of an area and complements and enhances designated heritage assets.

### **Conclusion**

17. There are no persuasive material considerations in this case to outweigh the conflict with the development plan as a whole. For the reasons set out above, and having regard to all other matters raised, I conclude on balance that the appeal should be dismissed.

*Zoe Raygen*

INSPECTOR