
Appeal Decisions

Site visit made on 17 October 2016

by Susan Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 November 2016

Appeal A: APP/H0928/W/16/3151658

The Stable Block, Warcop House, Warcop Appleby CA16 6NX

- 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 & Mrs M Dean-Netscher against the decision of Eden District Council.
 - The application Ref 15/0824, dated 3 September 2015, was refused by notice dated 14 January 2016.
 - The development proposed is conversion of stable block to form single dwelling, including alterations and extension and formation of new vehicular access.
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Appeal Ref: APP/H0928/W/16/3151653

The Stable Block, Warcop House, Warcop Appleby CA16 6NX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs M Dean-Netscher against the decision of Eden District Council.
 - The application Ref 15/0825, dated 3 September 2015, was refused by notice dated 6 January 2016.
 - The works proposed are conversion of stable block to form single dwelling, including alterations and extension and formation of new vehicular access
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Decisions

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

Preliminary Matters

3. Following the refusal of the original proposal, planning permission and listed building consent were granted for the formation of a new vehicular access from the public highway to the stable block¹. This decision therefore centres on the outstanding part of the proposal; the conversion of the stable block including the proposed alterations and extensions, to form a single dwelling.
4. Warcop House is a grade II listed building that dates from the 19th century. There is some question by the appellants about whether the barn that forms the subject of this appeal should be considered part of the listed building. Section 1(5) of the Planning (Listed Buildings & Conservation Areas) Act 1990 defines the term 'listed building' and sets out that for the purposes of the Act, any object or structure within the curtilage of the building which, although not

¹ Applications Refs: 16/0153 & 16/0155 granted on 5 May 2016.

fixed to the building, forms part of the land and has done so since before 1 July 1948 shall be treated as part of the building. The list entry should not be regarded as a comprehensive statement of all such components of the listed building.

5. The appeal building is of vernacular construction and lies around 40m from Warcop House and close to another outbuilding known as 'Main Range'. It appears that both outbuildings were constructed around the same time as the House. The appellant's Heritage Statement refers to a survey and report on the buildings and their history which was carried out in 2009 (the Ryder Report). The Ryder Report advises that the building is 'clearly that of an outbuilding range to a substantial house, and appears to be of single build'. It further confirms that the building and the Main Range were part of a 'picturesque assemblage around a substantial house built by an ascendant local family at the beginning of the Victorian era'.
6. The buildings share an access and their position between the house and land belonging to the estate indicates their historical function. Whilst I acknowledge that the buildings are now in separate ownership it seems, from all I have seen and read, that the appeal building was last used as stabling and garaging in connection with Warcop House.
7. For these reasons, I conclude that the barn is a curtilage structure that should be treated as part of the listed building. I have dealt with the appeal on that basis.

Main Issues

8. The main issue in this case is the effect of the proposal on the special architectural and historic interest of the listed building.

Reasons

9. The starting point for the consideration of the proposal is Section 16(2) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require that special regard is had to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest it possesses.
10. The stable block is a substantial, detached building constructed in coursed sandstone, with cut dressings and quoins, and a slate roof. It has a rectangular plan form with a large modern opening on the south side, fitted with sliding doors, and an arched opening on the eastern end. The north elevation, which is partly set into the ground, has two openings and the west elevation is blank. As a result of its external materials and geometric form, and the limited number of window openings, the building has a simple but robust character and appearance. The appellant describes the building as having a 'simple, utilitarian' character and I agree with that view.
11. The significance of the building lies in its age and its historic relationship with Warcop House, its robust form and vernacular detailing and materials. Whilst I accept that the building was altered in the 20th century, I am unconvinced that these alterations have had an unduly detrimental effect on the building's architectural or historic interest.

12. The proposal to convert the building includes the construction of a two-storey extension on the north side, which would be attached to the building by a slightly lower, partially glazed link. In addition it is proposed to construct a detached garage in timber.
13. The conversion of the existing structure seeks to make use of existing openings and I acknowledge that there would be only a limited number of new interventions to the original fabric. Accordingly there would be only a limited loss of historic fabric. I understand that a similar scheme to convert the building, without the extension, has been previously granted permission.
14. However, the proposed additions, which would be set at an angle to the stable building, would have a sprawling, convoluted, form that would be at odds with the robust geometric shape of the stable building. The incongruous form of the extension, to my mind, would be exacerbated by its scale and by the detailing of the fenestration, particularly the triangular topped window to the west elevation which would have no connection to the vernacular detailing of the stable building. Whilst I accept the appellants' view that a replica building may not be appropriate, the scale, form and detailing of what is proposed would neither reflect nor respect the general character and distinctiveness of the listed building. For these reasons the proposal would not preserve the building, or its significance, as required by the Act.
15. Given the degree of vegetation on the site the development would largely be screened from public vantage points and from Warcop House. However, there would be no guarantee that that vegetation could be retained and notwithstanding this, there would be glimpses of the extension from the existing access. Consequently the proposal would cause an, albeit limited, degree of harm to the setting of the House and Main Range and the significance of the group.
16. The National Planning Policy Framework (the Framework) sets out that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, as in this case, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use.
17. Although the building is currently in reasonable structural condition, the proposal would provide a beneficial use for the building that would help secure the long term conservation of its historic fabric. However, planning permission has already been granted for the conversion of the building and there is no evidence before me to suggest that the extension is required to make the unit economically viable. In terms of space, the plans indicate that the conversion of the barn without the extension would provide generous three bedroomed accommodation. Consequently this limits the weight I can give to the benefits of the scheme.
18. As such, the benefits of the scheme are not sufficient to outweigh the harm it would cause; harm that must attract considerable importance and weight on the negative side of the balance in accordance with the weighty requirements of the Act.

Conclusion

19. For these reasons, and taking into account all other matters raised, the appeal is dismissed.

S Ashworth

INSPECTOR