

Appeal Decision

Site visit made on 5 December 2016

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 15 December 2016

Appeal Ref: APP/E0915/W/16/3158797

Former Hotel, Talkin Tarn, Brampton, Cumbria CA8 1LS

- 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 Citadel Estates Ltd against the decision of Carlisle City Council.
 - The application Ref 16/0062, dated 22 January 2016, was refused by notice dated 18 March 2016.
 - The development proposed is conversion of former hotel to provide 6 2-bedroom apartments and re-configuration of redundant outbuildings to form 12 2-bed apartments including 4 new-build apartments. The proposals also include a comprehensive landscape design, altered vehicular access and parking arrangements.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the submission of the appeal, the Council has adopted the new Carlisle District Local Plan 2015-2030 (CDLP, November 2016). I have therefore considered the appeal against the relevant policies in that document.

Main Issues

3. The main issues are the effect of the proposal on the significance of the existing building and the character and appearance of the area, and whether the proposal would contribute to a sustainable pattern of development.

Reasons

Significance of the existing building and character and appearance of the area

4. The appeal site comprises a former hotel building with associated ancillary buildings to the south. The main elevation is orientated north towards the Talkin Tarn. The ancillary buildings are clearly visible from the road which passes to the south of the site. The proposal would retain the main north building, and would replace the ancillary structures, providing a total of eighteen new residential units.
 5. In 2010, Historic England (HE, formerly English Heritage) assessed the complex for inclusion on the list of buildings of special historic or architectural interest. Their Advice Report (dated 10 February 2010) states that the building was a working farm with origins in the early 19th century. The main north range was
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converted towards the late 19th century, presumably to take advantage of the fine views across the lake.

6. The report highlights the importance of the period 1750-1880 in terms of the development of farm buildings. It states that the complex is 'well built', and the large barn to the east is identified as retaining its agricultural character, and is 'of some interest'. Despite the numerous alterations, some former functions can still be identified, and it appears likely that the complex was built in accordance with the best practice principles at the time of its construction. The hotel element is in a typical late-Victorian style, with characteristic domestic detailing. It is an example of the investment that was being made in commercial buildings at the time.
7. Whilst HE found that the criteria for listing had not been fulfilled, they concluded that the complex is 'not without its merits and its local significance is clear enough'. I note that the site is recognised by both parties as a non-designated heritage asset.
8. In retaining only the north element of the building, much of the physical evidence of the origins and evolution of the complex as a whole would be lost. Whilst much altered, the distinctive 'E' form of the complex remains legible, with the spaces between the ranges preserved, pointing to the former agricultural usage. The barn in particular retains characteristic slit vent openings, with a large arched opening for carts. The buildings thus have evidential value. Their form is a response to evolving agricultural practices of their day. Further historical value derives from the subsequent changes to domestic and commercial uses.
9. The architectural hierarchy between the different elements of the building is a key part of its overall significance. This is expressed in the contrast between the more refined architectural treatment of the hotel range and the utilitarian detailing of the ancillary buildings. Physical hierarchy is also clearly evident. To the south, the middle range steps down from two storeys to one as it approaches the road, and the ancillary buildings are generally lesser in height and scale than the north range. A similar stepping down is evident on the north elevation. A single storey link forms a clear separation between the hotel section and the barn, which sits at a lower height than the hotel.
10. By contrast, the north elevation of the proposed development would meet the height of the east gable of the hotel, lessening its prominence and impact when viewed from the public vantage points. Whilst the new elements would not exceed the height of the north range, the present hierarchy of forms would be lost. To the south, the informal jumble of structures would be replaced by a much more formal, regular elevation which would entirely depart from their subservient character and agricultural appearance.
11. The appellant considers that the retention of the barns is not necessary to the appreciation of the 'landmark' status of the building, but I disagree. Their functional, agricultural appearance is in keeping with their rural location, and they add to the understanding of the history of the site. Despite their poor condition, they retain aesthetic value in terms of the well-built red sandstone masonry, which visually unifies the forms, and other attractive features such as the red brick chimneys and the stone surrounds to a number of the openings. I note that the development would be constructed in materials to match the

existing, but this would not be sufficient to overcome my concerns about its overall impact.

12. I therefore conclude that the proposal would result in the unacceptable loss of significance of the existing building, and would thus unduly harm the character and appearance of the area. It would therefore conflict with CDLP Policy HE 6, which seeks to protect locally important heritage assets.

Sustainable pattern of development

13. Paragraph 7 of the NPPF sets out the three dimensions to sustainable development, which are economic, social and environmental. These elements are not to be taken in isolation, and are mutually independent.
14. Paragraph 55 of the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities. Isolated dwellings in the countryside should be avoided, unless they comply with the special circumstances set out in paragraph 55, for example, where development would help to secure the future of heritage assets, or would re-use redundant or disused buildings and lead to an enhancement to the immediate setting. However, in view of the harm to the non-designated heritage asset that I have identified above, I do not consider that the scheme would fulfil these special circumstances.
15. CDLP Policy HO 6 also sets out a number of special circumstances in which new housing in the open countryside will be considered, which comprise the essential need for a rural worker to live at or near their place or work. The proposal would not fulfil this criterion, and so would conflict with CDLP Policy HO 6.
16. The appeal site sits alone at the southern tip of the Talkin Tarn. It is largely surrounded by open fields, and the surrounding area is characterised by sporadic developments which are well dispersed. With the exception of the limited facilities at the country park, the development would be isolated from the majority of services. The WYG Transport document (dated 19 November 2015) compares traffic flow information for the previous hotel use, a fifteen house proposal and the current appeal scheme, and concludes that the proposed eighteen units would not lead to an increase in traffic flows when compared to the other two circumstances.
17. However, I am concerned by the lack of sustainable transport options in the area. There appear to be no dedicated footpaths or cycle routes by which future residents could access any wider facilities in the surrounding settlements. The roads are narrow and unlit, and so walking and cycling would be less attractive options during the winter, or periods of bad weather. Brampton station is located approximately 2km from the site, and a hail and ride bus service can be accessed at around 400m from the site. However, I am not convinced that future residents would regularly walk or cycle to access these services. Instead, they would be highly likely to be dependent on the use of private motor vehicles to gain regular access to employment, shopping, community, leisure and other services. The proposal would thus give rise to unsustainable means of transport.
18. In support of their case, the appellant argues that the appeal site would have better accessibility to services than, for example, Talkin or Castle Carrock.

However, whilst I accept that residents in rural areas generally have a higher dependence on the use of the car than residents of more urban areas, this would not in itself justify the permitting of further development in a similarly inaccessible location.

19. I conclude, therefore, that the proposal would unacceptably fail to contribute towards a sustainable pattern of development, and so would conflict with CDLP Policy HO 6, and the objectives of the NPPF.
20. The scheme would give rise to a number of environmental benefits, which would include the improvement of landscaping and overall visual amenity of the site, the reinstatement of the garden, and the creation of a jetty on the bank of the lake. These measures would go some way towards improving the visitor experience of those making use of the public footpath to the north of the appeal site. The scheme would also re-use a previously developed site. The construction phase of the scheme would make some contribution to local economic activity. The creation of eighteen new dwellings would provide some choice in the type of local housing, and would make a moderate contribution to the social and economic activity of the local rural community. Whilst I attribute moderate weight to these benefits, they would not outweigh the harm I have identified above.

Other Matters

21. The Historic England (formerly English Heritage) document entitled 'Enabling Development and the Conservation of Significant Places' (September 2008) sets out the criteria by which proposals for enabling development should be assessed. The term 'significant place' may include unlisted buildings of local significance. However, the appellant states that theirs is not a 'pure' enabling scheme, and so it does not need to adhere to the guidance in the Enabling Development document, or comply with CDLP Policy HO 7, which considers enabling development in the form of new housing. I note that, whilst some evidence regarding costings and viability have been put forward, the processes normally required by an enabling development scheme have not been followed.
22. In this light, I am satisfied that the proposal does not represent an enabling scheme for policy purposes, and I have determined the appeal on that basis. I therefore consider that the scheme does not fall to be assessed against the ED document or CDLP Policy HO 7.
23. I accept that the poor condition of the appeal site raises challenges in terms of the viability of the proposed scheme, and that development costs and other market factors will have changed since the grant of the 2006 planning permission¹. The appellant states that the current scheme represents what is reasonably necessary to salvage the site. I note that the Council raises concerns with regard to the financial evidence that has been submitted. They have commissioned a Financial Viability Assessment Review (Lambert Smith Hampton, dated October 2016), which concludes that 10 units would be viable on this particular site.
24. However, my concerns relate not to the number of units proposed, but to the overall design of the scheme, and its harmful impact on the significance of the non-designated heritage asset. It may be that an alternative scheme could be

¹ 06/0693

designed which could be shown to be viable, but which would have the outcome of appropriately preserving the non-designated heritage asset. That being the case, I am unable to conclude that the scheme before me represents the 'last resort' which would justify the granting of planning permission.

25. The Council agrees that the planning permission for eight holiday homes was commenced, although it is clear that this development has not been completed, or the building used for that purpose. The appellant contends that this permission undermines the Council's position with regard to the sustainability of the location and the acceptability of residential development on the site. However, the 2006 decision pre-dates the NPPF and the CDLP by some time. Moreover, I am unaware of the full circumstances in which that proposal was considered acceptable, and in any case, I have considered the appeal proposal on its own merits. I have had regard to the 2010 planning permission², but it has not led me to a different conclusion on the main issues.

Balance and Conclusion

26. Paragraph 135 of the NPPF states that, in weighing applications that directly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Whilst I have identified a number of moderate benefits which would accrue from the scheme, these would not outweigh the loss of significance of the non-designated heritage asset, or the harm to the character and appearance of the area
27. Furthermore, the development would not contribute to a sustainable pattern of development, and so would fail to meet the local and national policy objectives of promoting sustainability.
28. For those reasons, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR

² 10/0577