

Appeal Decisions

Site visit made on 6 February 2017

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 1 March 2017

Appeal A

Appeal Ref: APP/Q9495/W/16/3157646

School House, Mungrisdale, Penrith, CA11 0XR

- 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 John Bennett against the decision of Lake District National Park Authority.
 - The application Ref 7/2016/3065, dated 18 May 2016, was refused by notice dated 7 July 2016.
 - The development proposed is alterations and extensions and associated drive and ground works.
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Appeal B

Appeal Ref: APP/Q9495/Y/16/3157654

School House, Mungrisdale, Penrith, CA11 0XR

- 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 John Bennett against the decision of Lake District National Park Authority.
 - The application Ref 7/2016/3066 dated 18 May 2016, was refused by notice dated 7 July 2016.
 - The development proposed is alterations and extensions and associated drive and ground works.
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Decision

1. Appeal A is allowed and planning permission is granted for alterations and extensions and associated drive and ground works at School House, Mungrisdale, Penrith, CA11 0XR subject to application Ref 7/2016/3065, dated 18 May 2016 and the plans submitted with it and subject to the conditions attached in Schedule 1.
2. Appeal B is allowed and listed building consent is granted for alterations and extensions and associated drive and ground works at School House, Mungrisdale, Penrith, CA11 0XR subject to application Ref 7/2016/3066, dated 18 May 2016 and the plans submitted with it and subject to the conditions attached in Schedule 2.

Main Issue

3. The main issue for both appeals is the effect of the proposal on the Grade II Listed Building known as School House, Mungrisdale and the impact of the proposal on the character and appearance of the surrounding area.
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Reasons

Impact on the Listed Building

4. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Policy CS27 of the *Lake District National Park Core Strategy* (CS) seeks to protect the historic environment of the National Park by ensuring that development conserves and enhances the character and integrity of historic assets and the historic character of settlements. Policy BE13 of the *Lake District Local Plan* (LP) advises that applications for alterations or extensions to listed buildings must pay special regard to the scale, proportions, character and detailing of the existing building. The policies reflect the statutory duties defined in the Act.
5. The School House, Mungrisdale is a Grade II Listed Building. The listing describes it as dating from the early 19th Century. It has been altered from its original single storey form at some point and this is evident in the variation in materials in the side elevation. It is constructed in mixed slate and cobble rubble with sandstone window surrounds and quoins. Its significance as a heritage asset is largely derived in its status as an attractive example of a building from the period and in the contribution the largely intact frontage makes to the streetscene.
6. The appeal relates to the construction of a one and half storey extension to the rear of the building, which would be linked to the house by a glazed link. In views into the site from the field-side the building would be viewed as an uncluttered barn-like structure, which would sit comfortably in the landscape and which would not detract from the simple proportions of the main dwelling. In views across the garden and into the site from the east, the structure would appear more domestic, due to the greater proportion of glazing. Nevertheless, it would be sufficiently detached from the School House to be viewed as a largely separate building and would be smaller in scale, thus not competing with the main building. I am mindful that in some views of the rear elevation of the School House the rear façade would be partly obscured by the profile of the extension. However, taking into account the limited extent to which this would occur, and that the rear elevation is of secondary importance to the significance of the asset, I am satisfied that this would have no more than a neutral effect.
7. The proposal would require very minimal alteration to the fabric of the existing building. An existing window in the rear elevation would be removed, and a small section of the wall beneath it removed to facilitate a doorway. Provided the original splayed reveal on the interior and the stone surround on the exterior is retained, the original form of the opening would be preserved and only a very minimal amount of historic fabric would be lost. The original floorplan would also not be disrupted. I therefore do not consider that these alterations would be harmful to the asset's significance as a historic asset.
8. I therefore conclude that the proposal would not cause harm to the special interest of the listed building or to its significance. It follows that the proposal would comply with national policy outlined in the Framework. It would also comply with Policy CS27 of the CS and BE13 of the LP which both seek to ensure that new development conserves the character of historic assets.

Other Matters

9. I note the concerns of residents in relation to the impact on the development on the amenity of nearby residential occupiers. Taking into account the orientation of windows and the separation distance to the nearest dwellings identified on the plan as Patty's Cottage and Bannerdale View, I am satisfied that the proposal would not lead to significant levels of overlooking or loss of privacy, and so would not materially affect the living conditions of those residents.
10. My attention has also been drawn to subsequent consent for an extension to the building. The position of these works means that if the proposal before me was granted only 1 scheme could be implemented. I am therefore satisfied that the existing permission¹ does not preclude granting permission for an alternative. I am mindful that the existing permission represents a fallback for the appellant. However, as I have not found the current proposal to be harmful, this matter is not determinative.

Conclusion

11. The proposal would have a neutral effect on the grade II listed School House and would preserve the special interest of the listed building. It would also not harm the living conditions of future occupiers. Therefore having regard to all other matters raised including the views of local residents and the Parish Council, I conclude that the appeal be allowed.
12. In addition to conditions relating to the period of implementation and compliance with the approved plans, it is reasonable and necessary to require further details of materials, including joinery and rainwater goods and details of the finish of the interior door surround. Furthermore, given the proximity of existing trees on site a condition requiring tree protection measures is also reasonable.

A Jordan

INSPECTOR

¹ 7/2016/3152

Schedule 1 – Conditions relating to Appeal Ref:APP/Q9495/W/16/3157646

1. The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details: Drawing No. 16.04/03A received by the Local Planning Authority on 24 June 2016, and Heritage Statement received by the Local Planning Authority on 23 May 2016.
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, including details of rainwater goods, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Before the commencement of the development hereby approved, full details of all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved joinery details.
5. Prior to the commencement of the development hereby permitted, a tree protection method statement shall be submitted to and approved in writing by the Local Planning Authority. Such method statement shall provide details and plans of the measures and working practices to be employed to prevent damage to trees on and around the application site. The development shall thereafter take place in accordance with the approved details.

Schedule 2 – Conditions relating to Appeal Ref: APP/Q9495/Y/16/3157654

1. The works hereby permitted shall be commenced before the expiration of 3 years of the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in conformity with the following submitted plans and details: Drawing No. 16.04/03A received by the Local Planning Authority on 24 June 2016, and Heritage Statement received by the Local Planning Authority on 23 May 2016.
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, including details of rainwater goods, and details of the internal finish of the surround to the linking door, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Before the commencement of the development hereby approved, full details of all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved joinery details.