



Appeal Decision

Site visit made on 22 October 2020

by Helen B Hockenhull BA (Hons) B. PI MRTPI

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

Decision date: 10th November 2020

Appeal Ref: APP/M0933/D/20/3255694

Flixton House, Fairfield Lane, Kendal LA9 5ER

- 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 and Mrs Ashton against the decision of South Lakeland District Council.
 - The application Ref SL/2019/1036, dated 23 December 2019, was refused by notice dated 12 May 2020.
 - The development proposed is a replacement single storey rear extension with mezzanine deck.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development, as submitted on the original planning application form, was changed by agreement between the parties, to remove reference to the demolition of the existing single storey side extension. I have used this amended description above.

Main Issue

3. The main issue in this case is whether the appeal proposal preserves or enhances the character or appearance of the Kendal Conservation Area and the effect on Flixton House, a non-designated heritage asset.

Reasons

4. Flixton House forms a large two storey detached property located in an elevated position to the south of Fairfield Lane, Kendal. It forms a non-designated heritage asset and is located within the Kendal Conservation Area.
5. The conservation area covers most of the town and encompasses areas of distinct character. The area in which the appeal site is located, around Windermere Road, comprises mid/late Victorian villas and terraced houses constructed in the local limestone. There are large green open spaces which provide a distinctive character and appearance to the area. Flixton House is recognised as a building making a positive contribution to the special interest of the conservation area. Given the above, I consider that the significance of the conservation area lies in its historic and aesthetic qualities.
6. The house is a late 19th Century property with random rubble coursed

limestone walls, rock faced quoins, a slate roof with overhanging eaves, plain barge boarded verge and a mix of white painted timber and uPVC windows. The significance of the building lies in its aesthetic appearance. I accept that this has been diminished by the modern single storey extension on the rear elevation, and the inappropriate uPVC materials to some of the windows. Despite these additions and alterations, the building retains some aesthetic value which contributes to its special interest.

7. The proposed extension would have a contemporary appearance with glazing set in a black aluminium frame. The glazed nature of the proposal would permit the stone quoins of the building to remain visible. Whilst the roofline would follow the pitch of the existing house, the apex of the roof would be set just below the eaves line. With a width of approximately 4 metres, this results in an extension of such a scale and form which would not appear subservient to the host dwelling or respect the western facade of the property.
8. The upper part of the western elevation of Flixton House, is visible from Windermere Road. The distinctive glazed extension, as a result of its height would in my view, be seen as a discordant feature adversely affecting the character and appearance of the property and the conservation area. I note the Council's view that the extension would also have a negative impact when seen from elevated views from nearby footpaths. I acknowledge that the roof of the proposal would be seen above the roofs and chimneys of surrounding terraced buildings. However, properties in the foreground would obscure views of the lower part of the structure. Therefore, I consider that the proposal would not have an adverse impact on views into the conservation area from these external locations.
9. When seen from the south, the proposed roof design would appear at odds with the existing roof form and pitch of the host dwelling. Whilst the angle of the roof references the pitch of the gable, due to its extent, it would form a jarring and inharmonious feature adversely affecting the character and appearance of the non-designated heritage asset. The submitted plans illustrate that the first-floor arched window, which forms an attractive feature, would be altered, raising the cill height and changing the fenestration details. The appellant advises that this window has already been raised from its original position through a previous proposal. Nevertheless, the further raising of the cill level, as illustrated on the appeal plans, has an adverse impact on the visual qualities of the rear elevation.
10. Views of the eastern elevation of the proposed extension would be limited to those gained from the lane to the rear of Flixton House, particularly from the access to the side of the Coach House. Nevertheless, the proposal would be seen as an unsympathetic addition, with a distinctive roof slope which would not relate well to the existing form of the dwelling.
11. I acknowledge that the proposal would include positive elements, such as the reinstatement of the ground floor window on the western elevation, the removal of the existing single storey side extension and replacement timber sliding sash windows. In terms of materials, the black aluminium frame and black larch cladding would complement the darker painted timber detailing on the existing dwelling and provide legibility, distinguishing the extension as a modern addition to the property. Whilst these aspects weigh in favour of the

scheme, they do not overcome the adverse impacts I have identified above. Bearing in mind the effect of the proposal on the character and appearance of the conservation area as a whole, I consider the harm to the significance of the non-designated heritage asset and the conservation area to be less than substantial.

12. Having regard to paragraph 193 of the National Planning Policy Framework (the Framework) and having paid special attention to the desirability of preserving or enhancing the character and appearance of the conservation area as required by the Act¹, I have given this harm considerable importance and weight in reaching my decision. In line with paragraph 196 of the Framework, this harm should be weighed against the public benefits of the proposal.
13. I acknowledge that there is some limited public benefit to the character and appearance of the conservation area and the non-designated heritage asset through the reinstatement of more appropriate fenestration and the removal of the unsympathetic existing extension. Whilst the proposal would provide an enlarged home for the appellants and their family, this would not benefit the wider public.
14. Given the above, I conclude that the public benefits do not outweigh the harm to the significance of the heritage assets. The scheme would therefore be contrary to the objectives of section 16 of the Framework, Policy CS8.6 of the South Lakeland Core Strategy and Policy DM3 of the Development Policies Development Plan Document. These policies seek to safeguard and where possible enhance the historic environment, including all designated and non-designated heritage assets. The proposal would also fail to satisfy the design objectives of the Framework, in particular paragraph 127, which seeks to ensure developments are visually attractive as a result of good architecture and sympathetic to local character.

Other matters

15. The Council's Officer report states that the proposal would have an adverse effect on the residential amenity of the occupiers of neighbouring properties. However, the analysis in the report itself does not support this conclusion and this matter did not form a reason for refusal. Accordingly, I do not address this issue in my decision.
16. The appellant has brought my attention to varied roof styles and house types in the immediate area to the appeal site. Whilst I acknowledge the presence of sweeping hipped roofs, which have some similarities to the appeal scheme, they are of a different design and context to the scheme before me.

Conclusion

17. The appeal scheme would fail to preserve or enhance the character and appearance of the Kendal Conservation Area and Flixton House, a non-designated heritage asset.
17. For the reasons given above and having had regard to all other matters raised, I dismiss this appeal.

Helen Hockenfull

INSPECTOR

¹ Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).