



Appeal Decision

Site visit made on 19 January 2021

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 4th February 2021

Appeal Ref: APP/Q9495/D/20/3261905

High Green Lodge, Troutbeck, Windermere LA23 1PN

- 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 D Morrison against the decision of Lake District National Park Authority.
 - The application Ref 7/20/5358, dated 10 June 2020, was refused by notice dated 03 August 2020.
 - The development proposed is part single storey and part two storey extensions plus alterations. Re-submission of 7/2019/5656.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The emerging Lake District National Park Local Plan 2021 is at an advanced stage of preparation such that weight may be attached to the emerging policies. Nevertheless, the relevant policies for determination of the appeal are those in the Lake District National Park Core Strategy including Proposals Map Adopted October 2010 (the LDCS) and the saved Lake District Local Plan and Structure Plan Policies Adopted November 2010 (the LDLP).

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, with particular regard to the Troutbeck Conservation Area and the Lake District National Park and World Heritage Site.

Reasons

4. The appeal property is part of a late 20th century building that has been extended and subdivided to create 3 separate dwellings. High Green Lodge includes the ground floor of the main rendered building and a single storey extension to its north elevation. It is located in the village of Troutbeck in the Lake District National Park (LDNP) and World Heritage Site (WHS).
5. The National Planning Policy Framework (the Framework) advises that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues. The WHS is a heritage asset of the highest significance, recognised internationally to be of Outstanding Universal Value (OUV). The attributes of OUV reflect the special qualities and value of the LDNP. The evidence is that the village of Troutbeck demonstrates landscape and cultural

attributes of OUV and therefore it makes a positive contribution to the significance of the WHS and to the special qualities of the LDNP.

6. The Troutbeck Conservation Area (the CA) covers the long linear settlement, which is medieval in origin and includes the loosely aggregated historic hamlets along the minor road on the side of the valley. The buildings largely date from the 17-19 centuries, and many are listed or are otherwise unlisted buildings of special character. Buildings are irregularly sited relative to one another and to the network of lanes and tracks through the CA. The significance of the CA derives from its well-preserved historic settlement pattern and its wealth of vernacular stone buildings including farmhouses and bank barns.
7. Where proposals affect Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of that area.
8. The single storey part of the proposal, to the north gable end elevation of the appeal property, would have a complicated roof with varied pitches and slopes and a large roof light. The 2 storey part would then extend roughly eastwards to form an L-shaped dwelling. To the north side, it would have a 2 storey elevation and a simple pitched roof slope. In contrast, the south side would be extensively glazed at ground floor level with a large sloping roof incorporating a substantial and prominent triangular dormer extension.
9. Although the ridge line would be set lower than the roof of the host building, by virtue of its large size and design the proposal would have the appearance of a separate dwelling rather than a subservient extension. Moreover, while it would be finished in render and slate to match its host, the modern materials and design would not harmonise or relate well to the traditional surroundings. The south elevation, with its extensive wall of glazing at ground floor level and large triangular glazed dormer above, would be out of character with the surrounding historic built environment. The proposal would not make a positive contribution to sense of place or local distinctiveness.
10. Approached from the direction of the spine road through the village, the ground floor and single storey appeal property is largely screened by the haphazardly arranged buildings in the hamlet. In contrast, the part single part 2 storey west elevation of the proposal would be visible from within the CA. Glimpsed between buildings, there would be a noticeable increase in the bulk and mass of modern built development.
11. By virtue of its prominent and elevated position at the edge of the settlement, the appeal building can be seen in views looking towards the CA. I accept that the varied topography and the mature garden planting would serve to screen the proposal to a degree, including from more distant locations along the A592. Nevertheless, there are locations, including along Back Lane public right of way, where the proposal would be clearly visible. In addition to being conspicuous during the day, the proposal would be visually obtrusive during the hours of darkness and winter when internal illumination would emphasize the extensively glazed and contemporary south elevation. The proposal would be a conspicuous and discordant feature that would detract from its well-preserved historic surroundings. As I have found that the proposal would be clearly visible from locations in the surrounding area, it would be capable of harming the wider character and appearance of the CA and the WHS.

12. Paragraph 193 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 194 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets or from development within their setting and that this should have a clear and convincing justification. I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight.
13. Paragraph 196 of the Framework advises that less than substantial harm should be weighed against the public benefits of the proposal. The enhanced living accommodation would be a private benefit, but the residential use of the appeal property is not dependent on the proposal. Therefore, in the absence of defined public benefits, I find that the proposal would fail to preserve the character or appearance of the Troutbeck CA and the Lake District WHS.
14. The proposal would fail to satisfy the requirements of the Act and paragraph 192 of the Framework. It would conflict with Policies CS01, CS02, CS10, CS11, CS25 and CS27 of the LDCS and saved policies BE1 and BE11 of the LDLP. These require, among other things, that proposals conserve and enhance the special qualities of the LDNP and heritage assets, including the CA and the WHS. Proposals should be locally appropriate including in terms of materials, scale and nature, and they should reinforce local character, quality and distinctiveness of rural settlements and the landscape.

Other Matters

15. The appellant and his wife have lived in Troutbeck for many years and the desire to adapt the property in order that they can continue to live there is understandable. In this regard, the proposal would enhance the internal living accommodation and it would allow for live-in support, should this be required in future. However, there is little to demonstrate that the proposal would be ancillary accommodation or that there are no alternative proposals that could deliver similar benefits without the harm that I have found.
16. The proposal follows an earlier withdrawn application (ref 7/2019/5656) for a single storey extension with timber cladding and a sedum green roof. The scheme has been significantly amended including in terms of its size, design and materials. Nevertheless, these have not overcome the harm to the area.
17. My attention has been drawn to a recently approved and constructed dwelling in the CA. While that scheme does appear to be large and modern, it is not identical to the proposal and it does not provide a visual context for it. Full details have not been provided and it has not been demonstrated that it is directly comparable to the proposal or that it provides a justification for it.

Conclusion

18. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations that would outweigh the conflict. Therefore, the appeal should be dismissed.

Sarah Manchester

INSPECTOR