



Appeal Decisions

Site visit made on 2 March 2021

by **E Worthington BA (Hons) MTP MUED MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 21st April 2021

Appeal A: APP/M0933/W/20/3261606

1 Hayclose, New Hutton, Kendal, Cumbria LA8 0AG

- 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 John and Barbara Studholme against the decision of South Lakeland District Council.
 - The application Ref: SL/2020/0434, received on 22 June 2020, was refused by notice dated 17 September 2020.
 - The development proposed is described as 'addition of porch to front of house 1 Hayclose'.
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Appeal B: APP/M0933/Y/20/3265115

1 Hayclose, New Hutton, Kendal, Cumbria LA8 0AG

- 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 and Mrs John and Barbara Studholme against the decision of South Lakeland District Council.
 - The application Ref: SL/2020/0507, received on 15 July 2020, was refused by notice dated 17 September 2020.
 - The works proposed are described as 'addition of porch to front of house 1 Hayclose'.
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Decisions

Appeal A

1. The appeal is allowed and planning permission is granted for the 'addition of porch to front of house 1 Hayclose', at 1 Hayclose, New Hutton, Kendal, Cumbria LA8 0AG in accordance with the terms of the application, Ref: SL/2020/0434, received on 22 June 2020, subject to the conditions set out in Annex A.

Appeal B

2. The appeal is allowed and listed building consent is granted for 'addition of porch to front of house 1 Hayclose', at 1 Hayclose, New Hutton, Kendal, Cumbria LA8 0AG in accordance with the terms of the application, Ref: SL/2020/0507, received on 15 July 2020 and the plans submitted with it, subject to the conditions set out in Annex A.

Procedural Matters

3. The planning application form and listed building consent form are both undated. I have therefore used the dates when the applications were received by the Council in the banner headings and decisions above.
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4. Since the proposal relates to a listed building, I have had special regard to section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

5. The main issue is whether the proposal would preserve a grade II listed building, Hay Close Farmhouse (Ref: 1087292) and any of the features of special architectural or historic interest that it possesses.

Reasons

The listed building

6. The appeal property is part of the listed building at Hay Close Farmhouse which is made up of two dwellings (Nos 1 and 2 were created when the property was split into two dwellings in 1992). It sits within the open countryside in a cluster of former farm buildings some of which have been converted into residential use including a threshing barn to the south east which is also a grade II listed building.
7. The listing description indicates that the farmhouse is dated 1713 on a quoin to the rear wing, but the appellants indicate that the building dates back to the 16th century. The listing recognises that the building has later additions and alterations, including a 19th century wing adjoining the building's east end. The appellant refers to historic plans which indicate that the original farmhouse and buildings were totally different to the present buildings.
8. The appeal property at No 1 comprises the western part of the building and was the main house. It is two storey, constructed of wet-dashed¹ rubble, with a slate roof and stepped cylindrical end chimneys. The flank and rear walls have a white coloured finish. Its handsome front elevation faces out southwards onto the enclosed garden area and is symmetrical in design. It has three bays comprising a central door with sash windows to each side and three more above at the first floor level.
9. The appellants advise that the appeal property was remodelling in 1860 when the south wall was increased in height to provide the first floor rooms. This was when the sash windows were installed. I also understand that a porch structure was removed from the appeal property's south elevation at that time and that the south elevation was rough-cast or wet-dashed in a cement/lime mortar to create a unified appearance.
10. No 2 adjoins the appeal property at right angles. Its rendered gable end projects beyond the front of No 1 and its main stone faced elevation faces eastwards. The building also has some more recent additions. The appeal property has an entrance porch to its northern elevation and a sun room on its western elevation. No 2 has a prominent front part glazed addition to its southern elevation and single storey rear addition in stone.
11. As such, it is clear that the building has seen many changes and alterations over a significant time period. These illustrate its successful evolution and adaptation over the years and attest to its continued survival as a residential building. Despite the changes described, the building generally maintains its

¹ a thrown or cast-on finish consisting of slaked lime and coarse aggregate mortar giving a rough textured finish.

functional architectural design and integrity as well as its authenticity as a traditionally constructed and visually attractive rural farmhouse.

12. Given the above, I find the special interest of the listed building, insofar as it relates to these appeals, to comprise its generally modest scale and proportions typical of its rural location as well as its simple uncomplicated vernacular design and use of traditional materials, particularly in relation to its well-proportioned and symmetrical front (south facing) elevation.

The effect of the proposal

13. The proposal would introduce a porch to the front elevation of the main part of the house that would be 2.6 metres wide and 1.5 metres deep with a maximum height of 2.6 metres. It would have low stone walls with timber framed glazing above on all sides and a pitched slate roof and would serve the existing front door.
14. It would be modest in size and simple and functional in design with extensive areas of glazing that would create a relatively lightweight and inconspicuous appearance. It would be centrally located on the property's front elevation and sit directly below the middle upper floor window. It would also be well spaced away from the ground floor windows. Thus, despite the simple unfussy design of the property's front elevation, I am not persuaded that the proposal would be seen as an unduly dominant or obtrusive feature. It would also appear generally sympathetic to, and smaller than, the existing sun room extension on the property's western flank and the similar glazed extension on No 2's front elevation.
15. Its traditional design and use of locally characteristic materials including Westmorland slate for the roof and local stone set in lime mortar for the walls, would generally match those of the existing extensions to the building. Moreover, they would reflect the historic construction and fabric of the building as evident on No 2's eastern elevation. To ensure that this would be the case, conditions could be imposed to secure the use of appropriate authentic, high quality traditional materials.
16. Whilst I accept that it would be read as a later addition, in my view, due to its scale and form as described, the proposal would sit comfortably on the property's southern elevation and would respect the proportions of the building overall. It would also allow the symmetry of the front elevation to remain clearly discernible and would not unduly upset the existing sense of rhythm. Additionally, I am content that the proposal would ensure that the visual primacy of the property's front elevation would be maintained and that it would not detract overall from the building's uncomplicated vernacular design.
17. Taking all these factors into account, I am satisfied that the architectural form, proportions and simplicity of the host property, and the listed building as a whole, would not be diminished as a result of the appeal scheme. I therefore conclude that the proposal would preserve the special interest of the listed building.
18. Although not included in the reason for refusal, the Conservation Officer considers the possibility that the proposal would detract from the appeal property's setting within the group of surrounding buildings. Whilst this matter is included in the officer's report, no further details as to the nature of this

concern is given. For the avoidance of doubt, I confirm that for the same reasons that it would preserve the special interest of the listed building, I am content that the proposal would cause no harm to the appearance of the surrounding buildings or the group as a whole, and would preserve the setting of the nearby listed threshing barn.

19. Thus, the proposal would be consistent with the Act and would accord with Policy CS8.6 of the South Lakeland Core Strategy which supports the safeguarding, and where possible, enhancing of historic environment assets, including their characteristic settings and any attributes that contribute to a sense of local distinctiveness. It would also support Policy DM3 of the South Lakeland Development Management Policies Development Plan Document which expects proposals to conserve, enhance and where appropriate better reveal the significance of listed buildings and their settings. Accordingly, the proposal would confirm with the development plan when taken as a whole. It would also align with the provisions of the National Planning Policy Framework (the Framework) which seek to conserve and enhance the historic environment.

Conclusion and Conditions

20. For the above reasons, and taking all other matters raised into consideration, I conclude that both appeals should be allowed.
21. The Council has suggested a number of conditions which I have considered in light of the advice in the Framework which establishes that conditions should only be imposed where they are necessary, relevant to planning and to the development (or works) to be permitted, enforceable, precise and reasonable in all other respects.
22. I have imposed the standard time limit conditions in the interests of clarity. A condition is required in respect of Appeal A to specify the approved plans in the interests of certainty. Such a condition is not needed in respect of Appeal B since the formal decision above requires the works to be in accordance with the submitted plans.
23. Whilst not suggested by the Council, I consider that conditions to ensure that the materials used in the construction of the extension match those used in the historic construction of the building overall are necessary to preserve the significance of the building.

E Worthington

INSPECTOR

Annex A

Appeal A: APP/M0933/W/20/3261606

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Plan Drawing No 412 11B
Location Plan Drawing No 889/20
Floor Plan Existing and Proposed Drawing No 1
Proposed Section and Side Elevation Drawing No 1a
Proposed East Elevation Drawing No 1c
Proposed South Elevation Drawing No 1d
- 3) No development shall take place until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The materials shall match those used in the historic construction of the building. The development shall be carried out in accordance with the approved details.
- 4) No development shall take place until samples of the roof tiles and sample panels of the stone and mortar, demonstrating the colour, texture, face bond and pointing, have been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples.

Appeal B: APP/M0933/Y/20/3265115

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) No works shall take place until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The materials shall match those used in the historic construction of the building. The works shall be carried out in accordance with the approved details.
- 3) No works shall take place until samples of the roof tiles and sample panels of stone and mortar, demonstrating the colour, texture, face bond and pointing, have been approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved samples.