



Appeal Decision

Site visit made on 30 March 2022

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2022

Appeal Ref: APP/M0933/W/21/3289059

Greenfield Lodge, Aynsome Road, Cartmel, Grange-over-Sands LA11 6PS

- 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 R Davis and Mr J Wood against the decision of South Lakeland District Council.
 - The application Ref SL/2021/0844, dated 23 August 2021, was refused by notice dated 18 October 2021.
 - The development proposed is the demolition of existing dwelling and construction of a replacement dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing dwelling and construction of a replacement dwelling at Greenfield Lodge, Aynsome Road, Cartmel, Grange-over-Sands LA11 6PS in accordance with the terms of the application, Ref SL/2021/0844, dated 23 August 2021, subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area, including the Conservation Area and the appeal property.

Reasons

3. The appeal property, Greenfield Lodge is an extended, but nonetheless modest and attractive if run down dwelling on the outskirts of the village of Cartmel. The property occupies a prominent position immediately adjacent to one of the access roads into the village.
4. South Lakeland Local Plan Core Strategy Policy CS8.6 and Policy DM3 of the Development Management Policies Development Plan Document seeks, amongst other matters, to safeguard and enhance heritage assets, specifically including non-designated heritage assets and Conservation Areas.
5. The site lies within the Cartmel Conservation Area (CCA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of which is the high density of historic buildings and the open spaces between these buildings that reflect the development of the village over time.

6. The Character Appraisal¹ identifies that the site, among other buildings, has a largely neutral contribution “neither enhancing nor harming the character of the conservation area”. This appears at odds with the reason for refusal detailed on the Decision Notice that describes the “existing building in its location and position” as “an integral part of the character of the village”.
7. The property is identified in the draft Cartmel Conservation Area Management Plan Supplementary Planning Document (dCCAMP) and in the officer’s report as being a non-designed heritage asset and candidate for inclusion in the emerging Local List. The property is described being c1850, the alterations including the extension and replacement windows are referred to. The significance is stated as being as a “good example of a mid-19th century lodge house on the edge of Cartmel”. The dCCAMP has not yet been formally adopted and I therefore afford it only some weight.
8. There is some dispute between the parties with regards the heritage value of the existing property. Specifically, the Heritage Assessment² submitted in support of the appeal identifies that the appeal property was not associated with Greenfield House but was “used as a cottage for a groom or gardener”, in connection with Ivy Cottage (now Ivy House) and was later renamed as Greenfield Lodge. The appellant also makes reference to alterations and extensions made to the property.
9. Nonetheless, on the basis of the evidence before me and my observations at the site visit, I find that the significance of the appeal property as a non-designated heritage asset lies within the still identifiable, if much altered, period property.
10. Paragraph 203 of the National Planning Policy Framework requires that “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly 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.”
11. I saw at the site visit that the appeal property has been vacant for some time and consequently the condition of the property was deteriorating, no doubt accelerated by damage to the roof.
12. The appellant’s Structural Inspection Report³ provides a detailed assessment of the property including “unusual structural details, that are not indicative of high standards of workmanship”. Nonetheless, the report concludes that “there are no immediately obvious signs of structural defect in the original building”. It is clear however, that extensive works would be necessary to make the property fit for habitation.
13. As a result of the demolition of the dwelling to facilitate the construction of the new dwelling, I find that the significance of the non-designated heritage asset would be completely and permanently lost. Nonetheless as a result of the various alterations and run-down appearance of the dwelling at the present time and the otherwise neutral contribution that the dwelling makes to the

¹ Character Appraisal Cartmel Conservation Area, dated March 2009

² ‘GREENFIELD LODGE, AYNSOME ROAD, CARTMEL, CUMBRIA’ - Heritage Assessment, Greenlane Archaeology Ltd dated August 2021

³ Structural Inspection Report, RG Parkins & Partners Ltd revision A dated 11 May 2021

character of the CCA, I am satisfied that the demolition of the appeal property would not harm the significance of the CCA and as such would preserve the character and appearance of the CCA.

14. While some concern is raised in the Officers report regarding the siting and scale of the replacement dwelling, these matters are not referred to in the Decision Notice. Nonetheless I am required⁴ to consider the effect of the proposed development on the character and appearance of the CCA.
15. The submitted plans show that the proposed replacement dwelling is of a notably greater size and scale than the existing property. However, I note that the front elevation facing on to Aynsome Road appears of a similar character and appearance to the existing dwelling. The proposed dwelling set at a slightly different alignment and further back from the road than the existing dwelling. The resulting improvement to access and off street carparking is noted by both parties.
16. To the rear, the dwelling transitions into a more modern design with significant glazed elements and accommodation cut into the sloping rear garden. I saw at the site visit that the existing topography and trees screened the appeal site from many public viewing points. The plans show that the design of the dwelling has considered the constraints of the appeal site and the opportunities it presents.
17. The submitted plans detail the materials to be used, these include reclaimed slate and stone from the existing dwelling and timber casement windows. The use of such materials, that could be controlled by a suitably worded condition, would assist in the assimilation of the proposed building into the area.
18. There is some local support for the appeal scheme, including some specific support for the design of the dwelling from the residents and from the Parish Council which states "we wish to see an early start on its redevelopment".
19. On the basis of the evidence before me and my observations at the site visit, I am satisfied that the proposed replacement dwelling, while of an overall greater size and scale than the existing dwelling, would not harm the character and appearance of the area, including the CCA and as such would preserve the character and appearance of the Conservation Area.
20. As such, I find that the appeal scheme is not contrary to South Lakeland Local Plan Core Strategy Policy CS8.6 and Policy DM3 of the Development Management Policies Development Plan Document.

Conditions

21. The Council has provided a list of conditions which it considers should be imposed if planning permission is granted. I have considered these conditions in the context of the guidance set out in the National Planning Policy Framework (the Framework) and the Planning Practice Guidance, in particular the six tests referred to in paragraphs 56 of the Framework and 21a-003-20190723 of the PPG. I note that the appellant has had sight of the suggested conditions and "is satisfied that the suggested conditions meet the relevant tests and as such are reasonable and justified".

⁴ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

22. For clarity I have included conditions relating to the life of the permission and the approved plans. To ensure that materials on the external surfaces of the proposed dwelling are in keeping with the area I have included the requested condition requiring samples to be submitted to the Council for approval, for the same reason I have included a condition relating to hard and soft landscaping.
23. In the interests of the environment, I have included a condition relating to the disposal of surface water. In the interests of the living conditions of the occupiers of neighbouring properties I have included a condition controlling working hours at the site.

Conclusion

24. For the reasons given I conclude that the appeal should succeed.

Mr M Brooker

INSPECTOR

Schedule of Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Location Plan – 18 Rev A, dated 21/03/12
 - Site Plan & Landscape - 19 Rev D, dated 12/03/21
 - Proposed Plans and Elevations – 16 Rev C, dated 08/03/21
 - Proposed Design Elevations – 17 Rev E, dated 12/03/21
 - Construction method Statement – Revision 1, dated 10/05/2021
3. No superstructure shall be erected until samples and details of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details of materials unless otherwise agreed in writing with the Local Planning Authority.
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to any development commencing. Any trees / shrubs which are removed, die, become severely damaged or diseased within five years of their planting shall be replaced in the next planting season with trees / shrubs of similar size and species to those originally required to be planted unless the Local Planning Authority gives written consent to any variation.

5. The development hereby approved shall not be occupied until a scheme for the disposal of surface water has been submitted to and approved in writing by the Local Planning Authority. The approved surface water drainage scheme shall be implemented and retained as such thereafter.
6. No demolition/construction activities shall take place other than from 08:00 hours until 18:00 hours (Monday to Friday) and from 08:00 hours until 13:00 hours (Saturday) with no noisy work on Sunday or Bank/Public Holidays.

End of Schedule