
Appeal Decision

Site visit made on 26 October 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2022

Appeal Ref: APP/M0933/W/22/3298021

Wray Farm, Docker, Kendal LA8 0DB

- 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 Thomas against the decision of South Lakeland District Council.
 - The application Ref SL/2021/1195, dated 20 December 2021, was refused by notice dated 28 March 2022.
 - The development proposed is demolition of 1940's cast concrete and sinusoidal steel clad barn and the construction of a new detached dwelling with attached annex.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has altered from the application form to the decision notice. That on the application form is adequate and I have considered the appeal on this basis.

Main Issues

3. The first main issue is whether the location of the development would be acceptable with regard to the development plan and other considerations. The second is the effect of the proposal on the character and appearance of the area.

Reasons

Location

4. The appeal site is set within an isolated position within the Countryside to the northeast of Kendal. In considering the Local Plan¹ policies that are before me, it is clear that the approach of the LP makes provision for housing within rural areas of the district.
5. Policy DM13 deals with the approach to housing in Small Villages and Hamlets. Amongst other things, small scale housing within or on the edge of small villages and hamlets will be acceptable provided that the small village or hamlet comprises a recognised settlement of normally 10 or more dwellings, in contiguous clusters and without significant open areas between buildings but

¹ South Lakeland District Council Local Plan Development Management Policies 2019 (LP).

excluding groups of houses arising solely or mainly from the conversion of farms in isolation.

6. However, Docker does not form a Hamlet. Firstly, although the dispersed farmsteads that form Docker do appear to contain dwellings, there are significant open areas between them. Secondly, these open areas are formed of fields which give the sense of one being within the countryside, rather than a settlement. The appeal site sits 2.7 miles from Grayrigg and 3.8 miles from Kendal.
7. Whilst self-build housing is also supported, this is also directed to amongst other places, small hamlets and villages. The proposal would therefore not be in accordance with the locational strategy for new housing within the district and would subsequently conflict with Policies DM12 and DM13 of the LP.
8. The proposal would also therefore conflict with the Framework² which states that planning decisions should avoid the development of isolated homes in the countryside unless certain circumstances apply, none of which are demonstrated, or indeed argued, within the evidence before me.

Character and appearance

9. The proposed dwelling in part appears to replicate the appearance of a modern agricultural barn. These are an established feature on the farmsteads within the area and one would be demolished at the appeal site to make way for the dwelling proposed.
10. However, whilst the limited openings on some of the elevations and agricultural style material finishes and scale would afford the structure a barn like appearance, the southern elevation would have an overly domestic appearance which would appear out of place within the area.
11. The gable feature which would incorporate a balcony would be particularly uncomfortable, along with the wide range of large window openings which would be placed within the southern elevation. These features contrast with the nearby barns which generally have a wholly simple appearance, often with single ridgelines and very limited openings.
12. Given that the building would be placed on the southern fringe of the farmstead, the southern elevation would be clearly visible in short and medium range views from some points on the country lanes that weave through the undulating landscape. The impact of the design would be amplified by reason of the large scale of the dwelling.
13. The proposal would therefore fail to properly assimilate itself to the character of the existing area and would therefore harm the character and appearance of the area.
14. It would subsequently conflict with Policy CS8.10 of the South Lakeland Core Strategy (2010) (CS) and Policy DM2 of the LP which amongst other things require that the design of all development maintains or enhances the quality of the landscape and respond appropriately to local character.

² National Planning Policy Framework 2021 Paragraph 80.

Other Matters

15. I accept that the provision of the self-build dwelling would allow family members to live together at the same site and would contribute towards housing supply. However, the locational benefits would be solely limited to the family, while the contribution towards housing supply would be modest owing to the small scale of the scheme. These benefits would not outweigh the harm identified.
16. The existing silage clamp and barn make a neutral contribution to the landscape and therefore their removal would be a neutral matter.

Conclusion and planning balance

17. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR