
Appeal Decision

Site visit made on 7 February 2023

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 February 2023

Appeal Ref: APP/Q9495/W/22/3309081

2 Lane Cottage, Staveley-in-Cartmel, Ulverston, Cumbria LA12 8NJ

- 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 & Miss Stewart and Hawley against the decision of Lake District National Park Authority.
 - The application Ref 7/2022/5414, dated 27 June 2022, was refused by notice dated 30 September 2022.
 - The development proposed is change of use of outbuilding to form residential dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area with particular regard to the site being within the Lake District National Park (NP) and The English Lake District World Heritage Site (WHS).

Reasons

3. The appeal relates to a former agricultural barn which is currently being used for storage. The building appears to have retained much of its original character and has very limited openings by reason of its former agricultural use.
4. In its existing form, it can clearly be read as a former barn. It sits in an elevated position adjacent to and clearly visible from the passing lane which arcs around the north-western side of Staveley-in-Cartmel. The building makes an understated, but positive contribution to the character and appearance of the area.
5. The Outstanding Universal Value of the WHS is partly based on the attribute of a landscape of exceptional beauty, shaped by persistent and distinctive agro-pastoral traditions which give it its special character¹. The traditional and well-established barn, which appears to be lacking any major interventions therefore contributes positively to the significance of the WHS.
6. Whilst the evidence indicates that this application does show some evolution from a previously refused application, the proposals as a whole do amount to substantial interventions to the existing building.

¹ Nomination of The English Lake District for inscription on the World Heritage List. Lake District National Park Partnership.

7. Despite being set back from the lane the extension to the north-east elevation would form a substantial and prominent extension, particularly given the increased height on that side of the building and the associated wall and steps. Its proximity to the existing cart door opening and level of glazing would crowd the principle opening to the barn, limiting the potential for that important feature to be as easily understood.
8. Further, whilst I can understand the desire for a well sized recessed window opening in the north -west elevation, this would again be a substantial intervention to the building which would afford the barn a more domestic appearance that would be counterintuitive to its agricultural roots. Both of these interventions would be visible from the public domain.
9. The proposal would subsequently detract from the heritage significance of the WHS. The harm to the significance of the WHS would be less than substantial. Paragraph 202 of the Framework² requires such harm to be weighed against any public benefits of the proposal.
10. The public benefits of the proposal would largely fall with the provision of a local needs dwelling. That would be a substantial benefit, although there is nothing compelling to indicate that the building could or would not be developed more sympathetically to provide the same benefit. This tempers the weight that I can afford to this matter.
11. Overall, given the degree of harm I have found that would arise from the appeal scheme to a heritage asset of the highest significance, such benefits are not sufficient to outweigh this harm.
12. For the same reasons identified above, the proposal would detract from the landscape and scenic beauty of the NP.
13. The proposal would therefore fail to accord with policies 02, 05, 06 and 07 of the Lake District National Park Local Plan (2021) which amongst other things require well designed proposals that protect heritage assets and that the extraordinary harmony and beauty of the Lake District landscape and its special qualities, including the attributes of Outstanding Universal Value, will be conserved and enhanced.

Other Matters

14. My attention has been drawn to other local developments, particularly with regard to the matter of windows within gable ends of properties. I was able to view these sites at the time of my visit. The evidence provided relating to such openings within the properties is reasonably limited.
15. However, whilst the barn opposite Sandfold Farm does include a gable opening, this building has an overall modern appearance and I do not consider that it shares the same characteristics as the barn before me. It does not therefore make for a direct comparison. I therefore afford this matter limited weight.
16. There are also window openings within the gable end of a building at Sandfold Farm, opposite Sandfold Barn. The Council suggest that there were already openings in that elevation prior to conversion. In any event, the building has a

² National Planning Policy Framework 2021.

significantly differing appearance and form to that at the appeal site and again is not directly comparable. I therefore afford this matter limited weight.

17. I was able to also consider the example further away at Hare Hills Barn where the evidence indicates an opening has been inserted alongside a retractable door to cover that opening when not required.
18. I note that a shutter is shown on the proposed plans. However, in all likelihood this would be open for a substantial amount of time given the intended residential nature of the building which would be likely to be in near constant use. This may well not be the case for the shutter at Hare Hills Barn, which is indicated to be an events venue, therefore subject to significantly differing patterns of use. As a result of these differences, I therefore afford this matter limited weight.

Planning Balance and Conclusion

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

T J Burnham

INSPECTOR