



Appeal Decision

Site visit made on 12 April 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 27 April 2023

Appeal Ref: APP/M0933/W/22/3310795

The Workshop, Bridge End, Old Hutton LA8 0NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Nelson of A Nelson & Sons against South Lakeland District Council.
 - The application Ref SL/2021/0790, is dated 4 August 2021.
 - The development proposed is demolition of existing joinery workshop (Class E), to be replaced with domestic dwelling house (Class C3).
-

Decision

1. The appeal is dismissed and planning permission for demolition of existing joinery workshop (Class E), to be replaced with domestic dwelling house (Class C3) is refused.

Preliminary Matters

2. The application form does not include 'The Workshop' within the site address, although it is included on the appeal form, and it is clear from the submitted plans and information which building the appeal relates to. Therefore, for clarity, 'The Workshop' is included in the heading above.

Main Issues

3. The appeal is against the failure of the Council to determine the planning application. The Council has produced putative reasons for refusal and from these I consider that the main issues are:
 - The effect of the proposal on the character and appearance of the area; and
 - The effect of the proposal on the living conditions of the host dwelling with regard to the provision of outdoor garden space.

Reasons

Character and appearance

4. The appeal site is a two storey, irregularly shaped, stone building which was formerly used as a joinery workshop. It is on a corner plot and is attached to Hillside Cottage on one side. The front elevation, which abuts the pavement, follows the natural slope of the site, whilst the side elevation is built adjacent to the lane which provides access to the rear. The back of the building, which is largely constructed of corrugated steel panels, with some stone and timber,

faces a small, triangular yard. The roof, which is hipped on the north-west elevation is also built of corrugated panels.

5. Bridge End is a hamlet of mainly traditional cottages and houses built alongside the B6254. It lies at the bottom of a small valley over the Peasey Beck, nestling into the surrounding countryside.
6. The construction of the three-storey detached house, within the footprint of the existing building, would be enabled by the reduction of land levels within the south-east part of the site. The proposal would match the height of the adjoining Hillside Cottage and would appear two-storey from the pavement. However, maintaining this height across the building, with a vertical emphasis to the design, would be at odds with the prevailing style of traditional two storey cottages within Bridge End. In particular, the internal garage space, although a useful way of providing parking, would, in this context, result in an overly urban appearance within a rural hamlet.
7. The building would be set back some way from the pavement which the appellant considers would improve sight lines. However, there is no suggestion from the evidence that the current wide access into the adjoining access lane, results in poor visibility. Whilst the pedestrian access deck from the pavement would provide level access designed to be compliant with M4(2) of Part M of the Building Regulations, this feature would make it appear incongruous within this location.
8. The proposal would use high quality materials including stone lintels and sills and wooden sash windows. The elevations would reuse stone from the existing building, combined with a rough render, and a timber panel, referencing the former workshop. The design would include gables and overhanging eaves which would mirror Hillside Cottage. However, two gables combined with the proposed fascia design and dormer windows, which are not a typical feature of the locality, would increase the prominence and bulky nature of the roofline.
9. The site is, as I noted on my visit, in a prominent position within the hamlet. The scale of the proposal would dominate this location and the housing around it, and the design would not be sympathetic to the vernacular character of the hamlet. It would therefore harm the character and appearance of the area.
10. The proposal would not accord with Policies CS1.1, CS8.2 and CS8.10 of the South Lakeland Local Development Framework Core Strategy (CS), 2010, and Policies DM1 and DM2 of the Local Plan Development Management Policies ¹ (DMP), 2019, which collectively seeks appropriate design for proposals in keeping with local character, which retains a sense of place and enhances the existing built environment. It would also not accord with the Framework.

Living conditions

11. Policy DM1 of the DMPD requires acceptable levels of amenity through the provision of adequate private spaces and landscaping. The proposed garden space would be to the side and rear of the proposed dwelling. Sited between the walls of the house and the retaining boundary walls, this would be enclosed and limited in size. This position would restrict natural light, and it would not be private, being adjacent to the pavement and the adjoining road. This would not provide an adequate or suitable area of garden space for a three-bedroom

¹ For South Lakeland District outside the Lake District and Yorkshire Dales National Parks.

house. Therefore, the proposal would harm the living conditions of the occupiers of the dwelling in regard to the provision of outdoor garden space. It would not accord with Policy DMD1 of the DMP and the Framework.

Other Matters

12. The appellant has provided details of how they would minimise disruption during the demolition of the building, and the sewage treatment plan that has been installed. Furthermore, features have been proposed to provide habitats for wildlife and the proposal would incorporate an air source heat pump and solar panels within the building. These are, however, neutral matters.
13. The appellant has documented the correspondence that they had with the Council both before and following the submission of the planning application. It is understandable that these delays would have been frustrating, particularly as the appellant in their desire to create a modern, family home, looked at alternative designs following advice from both the Council and because of local concerns. However, this does not affect the outcome of the appeal and the harms that I have identified.

Conclusion

14. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.
15. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR