



# Appeal Decision

Site visit made on 8 August 2023

**by Sarah Manchester BSc MSc PhD MEnvSc**

**an Inspector appointed by the Secretary of State**

**Decision date: 16<sup>th</sup> August 2023**

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**Appeal Ref: APP/M0933/D/23/3324571**

**Manor View, Pit Lane, High Biggins, Carnforth LA6 2NP**

- 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 Philip and Wendy Ireland against the decision of South Lakeland District Council.
  - The application Ref SL/2022/1061, dated 21 November 2022, was refused by notice dated 30 March 2023.
  - The development proposed is single storey rear and side extension.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. Permission (ref CU/2014/0011) was originally granted for the conversion of the barn to a residential dwelling under Class Q of the General Permitted Development Order. Based on the evidence before me, the conversion has been carried out and the building is in residential use.

## Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the appeal property and the area.

## Reasons

4. Manor View is a detached dwelling formed by the conversion of a traditional field barn. The historic 2 storey barn is a modest rectangular building constructed from local random rubble stone with a simple pitched slate roof. A modern lean-to single storey extension on its south elevation replaced an earlier agricultural extension and is finished in stone with matching details and extensive glazing. The dwelling sits alone in a prominent and elevated location close to Pit Lane. It is in an area of rolling countryside characterised by small settlements, scattered farmsteads and isolated vernacular farm buildings.
5. The proposal would protrude roughly 4.8m from the 2 storey west gable end elevation and from the adjoining single storey side extension. It would be the full width of the existing extension, with a roof slope to match, and it would finish part way across the 2 storey elevation with an overall width of some 7.8m. The lean-to roof would meet the gable end just below the height of the 2 storey eaves. It would have large glazed openings on its south west corner.
6. Local topography and vegetation provide some screening of Manor View from the surrounding area. Nevertheless, by virtue of its elevated and open position, the west gable end can be seen from various locations to the north west,

including from Pit Lane and close to the A65. The side extension is visible on the approach along Pit Lane from High Biggins and from the nearby public right of way that crosses the field to the south east. Therefore, the proposal would be visible both alone and in combination with the existing extension. Moreover, it would be more conspicuous at times of year when the countryside trees and hedges are not in leaf.

7. By virtue of its size, including its height, the proposal would be a substantially large addition to the historic barn. It would be poorly related to and out of scale with the 2 storey gable end elevation. The extended single storey side extension would be slightly over 12m long, which would be considerably greater than the length of its host. The cumulative effect would be a disproportionately large wrap-around extension that would overwhelm the original barn. The design, scale and massing would not be sympathetic to the historic barn nor would it appear typical of a lean-to agricultural extension. The proposal would be a dominant, discordant and domestic feature that would erode the locally distinctive traditional rural agricultural character and appearance of the property and its associated landscape setting.
8. There would be new native species hedgerows to the north west boundaries. While this could provide biodiversity benefits, there would be little guarantee that the garden hedgerow could be maintained to adequately screen the proposal and it would not in any case screen it from the footpath. Irrespective, as vegetation is temporary, it cannot be relied upon to screen permanent built development from view. The garden planting would not mitigate the adverse visual effects of the proposal. Furthermore, Manor View is not part of a building group and the proposal would not be integrated into its surroundings by the modern agricultural building, which is well set back from the road and from the proposal behind intervening woodland.
9. The Heritage Assessment notes that while Manor View is not entered onto a local list of non-designated heritage assets (NDHA), the original 2 storey barn would have been an NDHA of local importance. This is due to its significance which derived from its age, its architectural form with surviving original historic features and its evidential and historic value as an example of a locally distinctive mid nineteenth century field barn. While the building is still recognisable as a former field barn, the heritage assessment considers that the residential conversion has reduced its value such that it is now of negligible importance.
10. Conversely, the Council considers that the original barn continues to merit consideration as a NDHA. As the Planning Practice Guidance advises that NDHA may be identified as part of the decision-making process, it is appropriate to consider the effect of the proposal on the heritage asset. Taking into account the previous alterations to the barn, and acknowledging that the remaining original historic fabric would be retained, even so the proposal would harm the character and appearance of the converted barn, which is a prominent feature in the local landscape, and it would further erode the aesthetic, historic and evidential value of the former field barn.
11. Therefore, I conclude that the proposal would harm the character and appearance of the appeal property and the rural area. It would conflict with Policies CS1.1 and CS8.2 of the South Lakeland Local Development Framework Core Strategy Adopted October 2010 (the CS) and Policies DM1, DM2 and DM3

of the Local Plan Development Management Policies Adopted March 2019 (the DMP). These require, among other things, that proposals contribute to local distinctiveness and sense of place of the built environment, historic environment and landscape. It would also conflict with the National Planning Policy Framework in relation to development being sympathetic to local character and history, including the built environment and landscape setting; maintaining a strong sense of place; and protecting heritage assets.

12. In its decision notice, the Council also cites conflict with CS Policy CS8.8 and DMP Policy DM16. Policy CS8.8 relates to flood risk and its inclusion in the reasons for refusal appears to be an error, given the unrelated grounds for refusal. The Council's evidence suggests that the decision notice should have referred instead to conflict with policy CS8.10 which, among other things, requires proposals to maintain or enhance the quality of the landscape and to be in keeping with local vernacular tradition. Policy DM16 relates to the conversion of traditional rural buildings and it requires, among other things, that the building should be capable of conversion without the need for extension or significant alteration. While the proposal would be a significant extension, and therefore there would be tension with this policy, the evidence indicates that the building has been converted and it is in residential use.

### **Other Matters**

13. An earlier planning application (ref SL/2020/0377) for a single storey extension was withdrawn and a subsequent application (ref SL/2022/0822) for single storey side and rear extension was refused. The appeal scheme has been amended with a lean to hipped roof and the removal of extensive glazing to its north elevation. While the 2 applications were refused for substantially similar reasons, the Council acknowledge that the appeal scheme was amended to improve the design in an attempt to overcome the previous reasons for refusal. Irrespective of the earlier refused scheme, or the amendments, the appeal scheme has been considered on its individual merits.
14. Permission was granted at Bracken Barn, Low Biggins for the change of use of the barn to residential (ref CU/2014/0032) and planning permissions were subsequently granted including a 2 storey extension and a detached double garage with ancillary accommodation over. In contrast to Manor View, Bracken Barn is not prominently sited close to a road. The extension replaced a single storey extension and it was a sympathetic alteration in keeping with the scale and the agricultural character of the barn. The detached garage was clearly separated from the dwelling and its size and design related well to the converted barn. Different schemes in different surrounding contexts do not provide a justification for the proposal.
15. Mr Ireland is an agricultural contractor and mechanic and he usually washes his workwear every day. The appellants state that the kitchen is not large enough to accommodate a kitchen and washing/ utility facilities and therefore the proposed utility room is an essential functional requirement. Notwithstanding their preference for a separate utility room and Mr Ireland's profession, Manor View is not a rural workers dwelling and there is little compelling evidence that it fails to provide functional kitchen and laundry cleaning facilities.
16. The dwelling has been converted with ground floor bedrooms and a living room at first floor level. The appellants are approaching retirement and this arrangement does not meet their requirements including in terms of

entertaining friends and family, including elderly parents, at ground floor level. However, there is little evidence that the dwelling fails to provide adequate living space for a 2 bed dwelling. Moreover, while the proposal might avoid the need to use the first floor living room, the converted barn is not an older persons dwelling, not all older people in any case require single storey accommodation and there is little substantive evidence that this would be the case for the appellants. Furthermore, it has not been demonstrated that similar benefits could not be achieved by less harmful solutions including other forms of extension or internal alteration.

17. As long term residents of High Biggins with local connections, the appellants' desire to stay in the area is understandable. If the appeal should fail, they intend to holiday let the property and rent a dwelling elsewhere. This would have a negligible impact on the supply of housing. The appellants' personal circumstances and preferences carry little weight in favour of the proposal.
18. DMP Policy DM11 requires new homes to be designed and constructed to enable them to be adapted to meet the changing needs of occupants over their lifetime. However, on the basis that the proposal would be an extension to an existing dwelling, it would not be a new home.

### **Conclusion**

19. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
20. Therefore, I conclude that the appeal should be dismissed.

*Sarah Manchester*

INSPECTOR