



Appeal Decision

Site visit made on 13 January 2025

by **K L Robbie BA (Hons) DipTP MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 February 2025

Appeal Ref: APP/K0940/W/24/3353704

Levens Village Shop, Levens, Kendal, Westmorland and Furness, LA8 8ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Levens Village Shop against the decision of Westmorland and Furness Council.
 - The application reference is 2024/0361/FPA.
 - The development proposed is an extension to existing Levens Village Shop to provide additional holiday accommodation to support the shop business.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal property is a two-storey building prominently located at the junction of Levens Lane with Main Street. Part of the ground floor is in use as a village store with the remainder used as residential living accommodation. Properties in the village are varied in style and age, however they are typically traditional in appearance and are unified by their consistent use of materials, generally of stone and pale coloured render under slate pitched roofs.
4. The proposal is for a flat-roofed first-floor extension which would form a self-contained one-bedroomed unit to be used as holiday accommodation. It would be accessed via a covered external staircase to the side elevation and would be finished in timber cladding.
5. The extension would extend significantly forwards of the plane of the catslide roof on the front elevation. Its overall bulk and box-like appearance coupled with an awkward transition between the host property and the proposed flat roof would appear incongruous in the street scene, particularly when viewed from Levens Lane. Moreover, the fenestration and materials proposed would jar with the host property and its surroundings particularly when viewed from Main Street. As a result, it would have a harmful visual effect on the surrounding area.
6. Whilst I recognise that a deliberately contemporary approach has been taken to the design of the extension, it would not be in keeping with the surrounding area which despite the varying age of the buildings are generally traditional in appearance.
7. For these reasons the proposal would cause harm to the character and appearance of the area. The proposal would conflict with South Lakeland Core Strategy Policies

(2010) CS1.1 and CS8.10 and Development Management Policies Development Plan Document (2019) Policies DM1 and DM2 which amongst other things, seek to ensure high quality design in all developments which maintains or enhances the distinctive character of a place and enhances the existing built environment.

Other Matters

8. The appellant states that the proposal would provide additional income which would help to safeguard the existing shop business and would provide additional employment opportunities. Although these are benefits which would weigh in favour of the proposal, I have not been provided with any substantive evidence that the village shop requires financial support to maintain its viability. Furthermore, I have not been provided with the precise details of the nature of employment resulting from the proposal, however, this would likely to be limited to a part-time role on changeover days. Consequently, it has not been adequately demonstrated that these benefits would outweigh the harm that I have identified in the main issue.
9. The appellant states that the existing single storey extension is unsightly and supports several solar panels which provide a sustainable source of energy for the existing property. Nevertheless, from my observations on site the existing single storey flat roofed structure is not intrusive within the street scene and is largely screened by a timber canopy to the front of the shop. Solar panels on the existing flat roof may provide energy for the building at present, however, I have no precise details of these, nor how they would be incorporated into the proposed extension. I therefore place little weight on either of these matters.
10. Dormer windows and extensions on other properties within the village have been drawn to my attention. I do not have the details of how any of these came into being and their presence does not persuade me that the appeal proposal would be acceptable or lead me to an alternative conclusion on the main issue.
11. I note that planning permission has been granted for a smaller extension which would provide similar accommodation to that of the appeal before me. I do not have the details of the approved scheme before me, existence of this permission does not weigh in favour of allowing the appeal which I have determined on the evidence before me and on the planning merits of the appeal proposal alone.

Conclusion

12. For the reasons given above, having considered the development plan as a whole and all relevant material considerations, I conclude that the appeal should be dismissed.

K L Robbie

INSPECTOR