



Appeal Decisions

Site visit made on 25 February 2025

by **F Cullen BA(Hons) MSc DipTP MRTPI IHBC**

an Inspector appointed by the Secretary of State

Decision date: 25 March 2025

Appeal A Ref: APP/Q9495/W/24/3349324

25 St John's Street, Keswick, Cumbria CA12 5AE

- 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 Mr George Phillips against the decision of the Lake District National Park Authority.
 - The application Ref is 7/2024/2049.
 - The development proposed is glass infill extension to connect existing house and outbuildings and internal alterations to outbuildings.
-

Appeal B Ref: APP/Q9495/Y/24/3349406

25 St John's Street, Keswick, Cumbria CA12 5AE

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr George Phillips against the decision of the Lake District National Park Authority.
 - The application Ref is 7/2024/2050.
 - The works proposed are glass infill extension to connect existing house and outbuildings and internal alterations to outbuildings.
-

Decisions

1. **Appeal A:** The appeal is dismissed.
2. **Appeal B:** The appeal is dismissed.

Preliminary Matters

3. A revised version of the National Planning Policy Framework (the Framework) was published in December 2024 after the Lake District National Park Authority (the NPA) issued its decisions. I have had regard to the revised Framework in my determination of the appeals.
4. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
5. The proposal includes alterations to existing outbuildings sited to the rear of the main house. It is common ground between the parties that the outbuildings are 'largely contemporaneous with the main house and form an element of its overall significance.' Having regard to section 1(5)(b) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), I have treated the outbuildings 'as part of' the listed building.

6. As the appeals concern a listed building, located within a conservation area, I have had regard to the statutory duties set out in sections 16(2), 66(1) and 72(1) of the Act.
7. The NPA's reasons for refusal focus on the perceived effects of the proposal on the listed building, including the outbuildings. The NPA conclude that the proposal would 'preserve the character of the conservation area' and make no reference to any perceived effects to the settings of nearby listed buildings. Nonetheless, in considering the appeals and as decision maker, I am required to exercise the statutory duties referred to above. As the appellant has addressed these matters within their submitted evidence, I am satisfied that their interests are not prejudiced by this approach.

Main Issue

8. The main issue is whether the proposal would i) preserve the Grade II listed building, known as 25 St John's Street, or its setting or any features of special architectural or historic interest which it possesses; and ii) preserve or enhance the character or appearance of the Keswick Conservation Area.

Reasons

Special interest and significance

9. Together, the main house and outbuildings form a Grade II listed building known as '25 St John's Street'¹ (No 25), which is positioned within a generous mature garden and located in the Keswick Conservation Area (the KCA). The listed building also sits within the Lake District National Park (the NP) and the Lake District World Heritage Site (the WHS).
10. The building is stated to date from circa 1840². The main house is constructed of coursed rubble with a slate roof and displays decorative features, including painted stone cornice and frieze to front and side (south) elevations; and painted stone quoins, door surrounds and window surrounds to front, side (south) and rear elevations. The primary elevations are to the front and side (south). The rear elevation is secondary, with it possessing a less formal and adorned, but still pleasing, form. To the rear, set back from the main house, is a range of single-storey outbuildings built of random rubble (part painted) with a slate roof, and of simple form and detailing. Even though the listed building has been altered in the past, its historic form remains legible. The open space between the rear of the main house and outbuildings is surfaced in a combination of cobbles and paving.
11. From the evidence before me, the special interest and significance of the listed building mainly stem from its architectural and historic interests, in being a fine example of a 19th century 'small villa' with related outbuildings, which is linked to the Georgian expansion of Keswick and the Town's associated commercial and social history.
12. In so far as it relates to the appeals, important contributors in these regards include the main house's traditional construction and materials; surviving historic fabric; polite architectural style; and status differentiation between the front/side and rear elevations. The modest character of the outbuildings combined with their

¹ National Heritage List for England, List Entry Number: 1144665.

² Listing description.

historic, physical and functional associations to the main house, mean that they also contribute in a meaningful and positive way to the heritage interests of the 'listed building'. The building's curtilage/garden provides the primary surroundings within which the main house and associated outbuildings are experienced, and their hierarchy and relationship appreciated. Thus the listed building's immediate setting also, in part, supports its special interest and significance.

13. The listed building is located within the KCA³. From the evidence before me, the special interest and significance of the KCA are largely derived from the preservation of its historic centre and street pattern, along with the architectural richness and variety of its historic buildings, comprising landmark structures as well as retail and domestic properties which denote its evolution. No 25 adds considerably to Keswick's historic and aesthetic charm. In doing so it positively contributes to the character and appearance of the KCA as a whole and thereby to its significance as a designated heritage asset.

Proposal and effects

14. Paragraph 212 of the Framework sets out, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to state that, significance can be harmed or lost through the asset's alteration or destruction or from development within its setting and that this should have clear and convincing justification.
15. The proposal includes a glazed 'infill extension' that would form an enclosed link between the main house and the adjacent outbuildings to provide a dining and circulation area. The evidence sets out that this link would be 'constructed almost entirely from glass in grey aluminium framing.' The link's roof would extend around the door and window openings on the rear elevation of the main house, and the structure would connect into the roof pitch of the outbuildings by way of a lead valley gutter. There are also proposed internal alterations and blocking up of doors within the outbuildings to allow them to be used for food storage and preparation.
16. I recognise that the scheme has been revised from a previous proposal to address concerns raised by the NPA at that time. Moreover, I acknowledge that, when compared to the main house, the link's dimensions and set back position from the gable end would provide a degree of subservience. However, this would not be the case in relation to the outbuildings, where the height, bulk and form of the link would dominate and detract from this modest structure.
17. I have no issue with the principle of honest interventions to delineate between old and new fabric. However, in addressing constraints within the site, principally the drop in land levels between the main house and outbuildings, and the window layout on the rear elevation of the main house, the proposal would result in the introduction into this space of an overly tall structure with an unduly complex roof configuration. I am not convinced that this would impart a minimalist design as advanced by the appellant, and instead find that it would have an awkward and challenging relationship with both the main house and the outbuildings. Overall, it would not assimilate well into the site.

³ Within the Georgian Character Area.

18. The majority of the link would be glazed, allowing views of the new floorscape and the parts of the elevations that would be contained within the enclosed space. Nonetheless, the structure's considerable size and the complexity of its frame, would weaken the legibility of, and diminish a valid understanding of, the physical and functional separation between the main house and the outbuildings.
19. In doing so it would alter the authenticity of how the asset is experienced and lessen the positive contribution that the asset's immediate setting makes to its significance, as well as reduce the ability to appreciate that significance.
20. Bearing in mind that the outbuildings form an element of the listed building's overall heritage value, I have no issue with the principle of their internal alteration to facilitate their continued use. That said, I do share the NPA's concerns regarding the lack of detail in respect of this element of the proposal.
21. Moreover, the deficiency of information also concerns the insertion of the link. No detail has been submitted of the abutment of the link with the rear elevation of the main house; the abutment of the link with the roof and elevations of the outbuildings; and any changes within the enclosed space to create a level floor⁴.
22. I note the appellant's submission that the quality of detailing and finish of the development and works would be high. However, the omissions regarding the detail of the proposed physical interventions and alterations restrict a full understanding of the proposal and its effects. Given the listed status of the building, I am not satisfied that it would be appropriate or acceptable to leave such important matters to be dealt with by conditions.
23. I note that, historically, the listed building and site have been subject to change. Change to a heritage asset does not automatically result in harm to its significance. It can also be positive or neutral and it only becomes harmful if the identified special interest is eroded. However, in all of the respects outlined above, the proposal would diminish the asset's heritage interests and thus significance. As such, the historic change does not justify the proposal. Moreover, that the proposal would not impact on the primary front or side elevations of the main house does not mitigate nor validate the identified harm.
24. I acknowledge the harmful effects identified above would not be visible from the public domain. However, it does not automatically follow that a lack of public visibility of a proposal results in a lack of harm to the significance of a designated heritage asset. It remains that the proposal would be conspicuous from the private domain of some adjacent properties. Moreover, given the positive contribution that this listed building makes to the key characteristics of the KCA, it is reasonable to conclude that its harmful alteration due to the proposal, would also undermine the character and appearance of the KCA as a whole, albeit modestly.
25. Having regard to the above, I find that the proposal would not preserve the Grade II listed building, known as 25 St John's Street, or its setting or any features of special architectural or historic interest which it possesses. Nor would it preserve or enhance the character and appearance of the KCA. As such, it would harm the significance of these designated heritage assets.

⁴ As indicated on drawing No: 024_C, Elevation E2_As Proposed.

Public benefits and balance

26. In finding harm to the significance of designated heritage assets, the Framework requires the magnitude of that harm to be articulated. Given the nature and extent of the proposed development and works, I find the harm to the significance of the listed building and the KCA would be, individually and cumulatively, 'less than substantial' but, nevertheless, of considerable importance and weight. Paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes, where appropriate, securing the asset's optimum viable use.
27. The proposal would generate economic benefits in the construction phase and social benefits through an improvement to the local housing stock. The scale of those benefits that would flow to the public at large are moderated by the limited amount of development and works proposed, but nonetheless, weigh in favour of the appeals.
28. However, the additional accommodation would essentially be of private benefit to the property's occupants; and whilst I acknowledge the appellant's desire to adapt the listed building to their needs, this should not involve development and works that would not conserve it in a manner appropriate to its significance.
29. I am not convinced that the only way of accruing the identified benefits would be via the scheme as proposed. Furthermore, no substantive evidence has been provided which verifies that the proposal is necessary to secure the residential use of the listed building, or that its occupation as a dwelling would be at risk if the appeals were to fail and the proposal, as submitted, was not implemented.
30. In all of the above respects, clear and convincing justification has not been provided for the identified harm to the significance of the designated heritage assets. Overall, the weight I ascribe to the public benefits which would accrue from the proposal, is not sufficient to outweigh the considerable importance and weight I attach to the harm I have found.
31. I conclude that the proposal would not preserve the Grade II listed building, known as 25 St John's Street, or its setting or any features of special architectural or historic interest which it possesses; and would not preserve or enhance the character and appearance of the KCA. Furthermore, the harm to the significance of these designated heritage assets would not be outweighed by the public benefits that the proposal would generate.
32. As such, it would conflict with the statutory presumptions set out in sections 16(2), 66(1) and 72(1) of the Act. It would also not accord with Policies 07 and 06 of the Lake District National Park Local Plan 2020-2035 (adopted May 2021) in so far as they seek to conserve and enhance the significance of heritage assets; and to achieve design excellence in all development. It would also not comply with the provisions within the Framework which seek to conserve and enhance the historic environment.

Other Matters

33. The submitted proposed ground floor plan⁵ shows the blocking up of an 'existing opening' linking the hall and kitchen within the main house. On my site visit I saw

⁵ Drawing No: 023_C.

that the timber door and surround to this opening have been retained. They were visible when viewed from the hallway, but were obscured by cabinets when viewed from the kitchen. Neither of the parties have mentioned this element of the scheme in their evidence. Had I been minded to allow the appeals; I would have given the appellant and NPA the opportunity to comment on this matter. However, given my conclusions, I have not pursued it with the parties.

34. The submitted evidence refers to the presence of listed buildings within the vicinity of the site, including St John's Church (Grade II*), 36-50 St John's Street (Grade II), and 17-23 St John's Street (Grade II)⁶. Mindful of the statutory duty set out in section 66(1) of the Act, I have had special regard to the desirability of preserving the settings of these listed buildings. The special interest and significance of these assets largely stem from their historic and architectural interests, but are also derived, in part, from their respective immediate churchyard and domestic settings as well as their wider townscape surroundings. Given the position, extent and nature of the proposal in relation to these buildings, I find that the settings of these designated heritage assets would be preserved and thus their significance would not be harmed. Nonetheless, this is a neutral consideration and weighs neither for nor against the appeals.
35. The appeal property is also located within the NP and the WHS. The NP has the highest status of protection in relation to landscape and scenic beauty; and the WHS is a designated heritage asset of the highest significance, internationally recognised as being of outstanding universal value (OUV). In determining the appeals, I have given great weight to conserving and enhancing landscape and scenic beauty in the NP and great weight to the conservation of the WHS, recognising that the more important the asset, the greater the weight should be⁷.
36. From the limited evidence before me, the identified special qualities of the NP and the OUV of the WHS include settlement character and vernacular architecture in the Lake District. Having regard to the nature and extent of the proposal in relation to these designated areas, I consider that it would have a neutral effect on the landscape and scenic beauty of the NP and maintain the OUV of the WHS. As such, the proposal would not harm their respective intrinsic beauty or significance. Nevertheless, a lack of harm in these regards weighs neutrally.

Conclusions

37. **Appeal A:** The proposed development would conflict with the development plan. There are no material considerations, including the Framework, which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that Appeal A should be dismissed.
38. **Appeal B:** For the reasons given, I conclude that Appeal B should be dismissed.

F Cullen

INSPECTOR

⁶ National Heritage List for England, List Entry Numbers: 1144666; 1327103; and 1144664 respectively.

⁷ Framework Paragraphs 189 and 212 respectively.