
Appeal Decision

Site visit made on 1 October 2025

by **Alison Scott (BA Hons) Dip TP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 October 2025

Appeal Ref: APP/F0935/D/25/3368104

6 Longburgh Fauld (Shielbeck House), Longburgh Village, Cumbria CA5 6AE

- 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 R Mepsted against the decision of Cumberland Council.
 - The application Ref is 25/0052.
 - The development proposed is Removal of existing windows and concrete mullions. Fitment of new pvc-u double glazed windows
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site is located within the Longburgh Conservation Area (CA). I am therefore mindful of my statutory duties in respect of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

3. The main issue is whether or not the proposal would preserve or enhance the character or appearance of the Longburgh Conservation Area.

Reasons

4. The appeal site, Shielbeck House forms part of an enclave of buildings and as far as I could tell from my assessment are, in the main residentially converted rural buildings within the Longburgh CA, intermixed with new builds. The significance of the CA is derived from a traditional rural community. The association of former agricultural barns, outhouses, farmhouses and cottages depicts a typical rural characteristic where the local area has grown organically. There is a pleasing quality to the built environment with the use of natural and good quality stone, brick, timber and slate to roofs. The variety of materials, inconsistent pattern of development, randomness to buildings' layout contributes positively to how the CA is experienced.
5. The appeal site is located in what appears to have been part of a former farmyard with the dwellings surrounding a hard landscaped courtyard. It is tucked into the corner although the side elevation and part of the front is clearly visible from beyond the site. There is variety to the buildings within the courtyard by way of materiality, design, and age, all with a rural aesthetic despite the intervention of modern materials, especially that of upvc windows. Fenestration detail also varies within Longburgh Fold and throughout the CA. Nevertheless, there is a strong

sense of rural aesthetic and cohesiveness to the buildings within the CA and the variety to the built environment enhances its heritage value.

6. I am made aware by the appellant that the site was previously a Dutch barn and it was demolished to make way to build Shielbeck House. Even if it is a new build, it contributes positively to the character and appearance of the CA as it follows the typical rural aesthetic seen throughout Longburgh. The use of red/brown brick to its finish, proportionate fenestration with concrete framing details overall reflects a simple rustic appearance that typifies the local area.
7. Together with the use of UPVC, the appellant proposes to remove the central concrete mullion to the windows and replace the entire unit with grey coloured upvc frames. Although the building is modern, the use of concrete mullions is a planned design feature and reinforces local distinctiveness. They create a vertical division to the windows. The majority of these windows align on ground and first floor, further emphasizing the vertical emphasis of the building. By removing the mullions from the windows would alter the proportions and the narrow vertical frames of a upvc window would not compensate in materiality or visually for the loss of the intentional design feature of the concrete mullions. This is especially demonstrated within the appellant's photographic evidence submitted with the appeal.
8. The rear elevation of the dwelling faces their private garden. This and other surrounding land is also included within the boundary of the CA. Despite the fact this elevation and garden is largely seen in private views, it is nonetheless within the CA. The loss of integral material and the alteration to the composition of the window would have a harmful effect by diminishing the character of the dwelling. Therefore, the proposal would result in an erosive effect upon the character and appearance of the CA as a whole.
9. As part of my assessment, I am aware there is some apparent decay to the existing timber windows which have already been replaced by the appellant and the specialist advice to replace them. The images of the central mullion, and from what I was able to view on site, does indicate air bubbles within the material and evidence of shuttering markings. I could not say for certain that these are defects that affects its structural integrity without a proper structural assessment. Furthermore, as part of the appellant's argument for wholesale replacement, I am conscious that the appellant comments that the removal of the mullion and the narrower frames would provide around twenty-five per cent extra light into internal rooms. They have provided photographic evidence of light coming into a room from an existing window. There is nothing before me to comment on how this is resulting in a detrimental effect upon their living conditions for me to take into consideration.
10. I could see that upvc is *some* material of choice within the CA with timber fenestration also distinctively apparent. The appellant points to windows within the CA they view as similar to their proposal as well as to Fagus House. I acknowledge there is variety to the fenestration and the pallet of materials within the CA. Be that as it may, as is my duty, I must consider the proposal before me and the effect of such upon the character and appearance of the CA.
11. All things considered, I find that the proposal would harm the historic interest of the heritage asset that is the CA as a whole as it would not preserve or enhance the character or appearance of the conservation area and as such be contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Public benefits

12. Paragraph 206 of the National Planning Policy Framework (the Framework) advises that any harm to the significance of the heritage asset should require clear and convincing justification. Also, with reference to the Framework and proposals affecting heritage assets, in finding harm to the significance of designated heritage assets, the magnitude of that harm should be assessed. Given the impact of the proposal I find that the harm to be 'less than substantial' in this instance. This harm should be weighed against the public benefits of the proposal. There are no public benefits of the scheme before me to amount to a clear and convincing justification to outweigh the harm I have identified. The historic environment would therefore not be safeguarded.
13. Considerable importance and weight has to be attached to harm to designated heritage assets. Therefore, to conclude on this main issue, the proposal would not preserve or enhance the character or appearance of the CA. As such the proposal would be contrary to the local distinctiveness, design and heritage protection aims of policies SP6, HO8 and HE7 of the Carlisle District Local Plan 2015-2030, and the objectives of the Burgh-by-Sands Parish Design Statement Supplementary Planning Document. It would also be contrary to the heritage preservation objective of the National Planning Policy Framework. I find no direct relevance to policy HE3 of the Carlisle District Local Plan 2015-2030 as this relates to listed buildings and their settings. The appeal site is not a statutory listed building and whilst there are listed buildings identified locally, I have no reason to come to a view that this proposal would adversely affect their special interest or setting.

Other Matters

14. The appellant complains about the service received from the Council and the lack of compromise on their part. These issues are not for me to comment on and should be referred to the Council in the first instance.

Conclusion

15. The proposed development would lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR