



Appeal Decision

Site visit made on 11 November 2025

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 November 2025

Appeal Ref: APP/Q9495/D/25/3372011

Brantside, Sun Hill Lane, Windermere, Westmorland and Furness LA23 1HJ

- 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 and Mrs South against the decision of Lake District National Park Authority.
 - The application Ref is 7/2025/5196.
 - The development proposed is a double garage and multifunctional hobby room above.
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Decision

1. The appeal is allowed and planning permission is granted for double garage and multifunctional hobby room above at Brantside, Sun Hill Lane, Windermere, Westmorland and Furness LA23 1HJ in accordance with the terms of the application, Ref 7/2025/5196, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area with particular regard to the Lake District National Park (the NP).

Reasons

3. The site is located within a group of dwellings to the east of Windermere and is within the Lake District National Park. Paragraph 189 of the National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues.
4. The Authority state that the site falls within Area 39: Upper Windermere in The Lake District Landscape Character Assessment and Guidelines (LCA) which recognises that the east shore is more settled, and the sense of tranquillity is disturbed by established housing and road corridors especially the A591. The LCA also acknowledges the importance of soft, mature woodland in contributing to a recognisable sense of place and highlights that the use of inappropriate building materials may result in the loss of local landscape characteristics.
5. Sun Hill Lane is a narrow road, with high hedges and trees on either side, which slopes steeply downwards from Patterdale Road to the A591. Brantside is part of a group of dwellings, that are accessed off Sun Hill Lane. The high hedging along Sun Hill Lane as well as mature woodland around and between the properties acts to screen public views of the group. While there are examples of dwellings that utilise traditional materials within the area, Brantside is a large, detached dwelling of a more contemporary design, which is reflected in the use of modern external

- materials which include rendered external walls and a shallow, off-set pitched roof finished in felt.
6. The appeal property includes a generous area of garden ground to the front and side of the dwelling, which shares a boundary with an area of mature woodland. The boundary between the garden and the woodland is marked by a high hedge.
 7. The proposal is for the erection of an ancillary building on the garden ground to the side of Brantside, adjacent to the boundary hedge and between two mature trees. The building would comprise a double garage on the ground floor and a multifunctional hobby room on the upper floor that would include a W.C. Proposed external materials include Lakeland stone and timber cladding at ground floor level with standing seam zinc cladding to the first floor and roof.
 8. The proposed building would be two storeys high and would be wide enough to accommodate a double garage door as well as a separate garden store. Given the scale and width, it would be larger than typically expected for ancillary accommodation. However, it would appear subservient to Brantside which is significantly larger. There is also sufficient space within the curtilage of the appeal property to accommodate the building, while leaving a large area of garden ground undeveloped. Further, the appeal property is located on a hillside, and neighbouring dwellings occupy higher ground, given the backdrop of existing development, the appeal scheme would not appear to be overly prominent in both localised and long range views.
 9. The building would be of a contemporary design and would utilise a palate of both traditional and contemporary materials; including standing seam zinc cladding which is an integral element of the design. There is no dominant architectural style within the group. The host dwelling, as well as some neighbouring properties, are finished in man-made or non-traditional materials. As such, the modern design approach taken in this instance is acceptable given the design of Brantside and the varied architecture surrounding the appeal site.
 10. Pockets of mature woodland make a positive contribution to the landscape and scenic beauty of the NP. This includes the woodland within and around the appeal site. The Arboricultural Implication Assessment (Ref:HT1688.1) submitted in support of the application states that the proposal would not require the removal of the hedgerow or trees and subject to specified tree protection and construction methods, it would not be detrimental to the existing trees and hedgerow.
 11. Further, the building would be built on concrete beams mounted on piles which would elevate the building above ground level. Drawing HT1681.102 titled 'specialist foundation detail', shows the elevated position of the concrete beams and also the irrigation system under the building. Based on the evidence before me, the proposed scheme would not result in a material degree of harm to the root structure of surrounding trees, and the neighbouring woodland would be suitably protected.
 12. For the reasons detailed above the proposal would not harm the character and appearance of the area and it would preserve the special qualities of the Lake District National Park. Therefore, it would not conflict with Policies 02 and 06 of the Lake District National Park Local Plan 2020-2035 Adopted May 2021 (LP) which seek to prioritise development in established settlements and supports innovative design that reinforces the importance of local character.

Other Matters

13. Windemere and Bowness Town Council recommended that the proposed development is refused due to the use of metal cladding as a roofing material; the potential use of the building for commercial residential purposes and a lack of evidence regarding the impact of the development on existing trees.
14. My assessment is based on the plans and evidence before me, which state that the building would be used as ancillary accommodation to Brantside. The change of use of the building to a different use, including as a separate residential unit, would require a further application for planning permission.
15. The points raised by Windemere and Bowness Town Council regarding the use of metal cladding and the impact of the development on the trees surrounding the development site are addressed within the reasons section above.

Conditions

16. I have considered the suggested conditions against the tests set out in the Planning Practice Guidance and paragraph 57 of the Framework. Where appropriate, I have adjusted the wording to improve precision and enforceability.
17. I have attached conditions relating to the time limitations for the commencement of the development, compliance with the approved plans and the details of the stone faced external walls in the interests of clarity and certainty.
18. I have also attached conditions relating to the protection of neighbouring trees to preserve the character and appearance of the area; and the use of renewable and low carbon sources to protect the environment.

Conclusion

19. For the reasons given above the appeal should be allowed.

C Livingstone

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with drawing Nos HT1681.1.101, HT1681.1.102, HT1681.1.03 and Location Plan.
- 3) No development shall take place until a scheme (including a timetable for implementation) to secure at least 30% of the energy supply of the development from decentralised and renewable or low carbon energy sources has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented and thereafter retained in operation.
- 4) Prior to the commencement of the development hereby permitted, tree and hedge protection measures shall be put in place in accordance with the Arboricultural Implication Assessment (AIA) Ref: HT1688.1. All tree and hedge protection measures shall be retained for the duration of works.
- 5) The stone faced external walls of the building hereby permitted shall be faced in natural stone of a type to match (in terms of size, method of laying, pointing and jointing details) the appearance, character, colour and texture of the existing building known as Brantside.

***** END OF CONDITIONS*****