Appeal Decision

Site visit made on 26 May 2009

by Anthony Lyman  BSc(Hons) DipTP
MRTPI
an Inspector appointed by the Secretary of State
for Communities and Local Government

Appeal Ref: APP/Q9495/A/09/2097849
Stable End, Easedale Road, Grasmere, Cumbria, LA22 9QL

- 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 Graham Meadows against the decision of Lake District National Park Authority.
- The application Ref 7/2008/5521, dated 29 August 2008, was refused by notice dated 5 December 2008.
- The development proposed is the enlargement of existing house.

Decision

1. I dismiss the appeal.

Main issues

2. The main issues relating to this appeal are the effects of the proposed development on, i) highway safety, ii) the living conditions of neighbours, iii) the character and appearance of the area.

Reasons

3. Stable End is a detached house with stone and rendered walls under a natural slate roof. The property is located on Easedale Road in a small cluster of houses in the open countryside to the north-west of Grasmere village. The proposal is to add a part two storey and part single storey extension to the house and to demolish a small garage to create two gated parking spaces.

Highway safety

4. Easedale Road is a public highway which terminates in the hamlet and becomes a popular footpath and bridleway to the nearby fells. It is very narrow and has no footpath alongside. The appeal site is triangular with one side fronting the highway and another running alongside a private track, which is not in the ownership of the appellant but gives access to the fields beyond. The rear wall of the existing house abuts this green lane as would the proposed extension which would extend almost to the track’s acute junction with the public highway. This would leave just sufficient space for two cars to be parked between the track and road. Although the existing small garage has access onto the green lane, the proposal would involve creating a new gated access onto the unclassified Easedale Road.
5. The Highway Authority strongly opposes the development on the grounds that the additional access onto the public highway would not be acceptable, would lack appropriate visibility splays and would be likely to create conditions prejudicial to highway safety. The narrowness of the road would necessitate awkward manoeuvring of vehicles on and off the public highway and the severely restricted visibility caused by the walls and hedgerows in the area, would, despite the low traffic levels and speeds, create conditions which would be a hazard to other road users, particularly the large number of walkers who use this route. However, as the road is unclassified, the appellant could by way of fallback, create a new access to the highway without permission, subject to lowering the height of the gates and the surrounding walls. I conclude therefore, that the inadequacy of the access would not be sufficient grounds on which to refuse the proposal.

Living conditions of neighbours

6. On the north side of the green track, immediately opposite the appeal property, is a dwelling known as Southwaite Barn. The orientation of this house provides views of the fells and the private garden from the main habitable room windows. However, a kitchen/diner window faces south towards the proposed two storey extension approximately 13m away, and a side bedroom window would be only about 6m from the single storey extension. Both windows currently afford pleasant, relatively open, verdant outlooks. The patio area to the dwelling, between the kitchen and the green lane, also has the benefit of an open aspect and the southern sunlight.

7. There would be no overlooking of Southwaite Barn from the development because of the proposed obscure glazing of the relevant upper floor windows. Nevertheless, the extension would block the open southern aspect from the neighbour’s windows and patio and reduce the amount of sunlight reaching the only south facing window in the kitchen/diner, the patio and part of the garden. The two storey extension would also present an oppressive and over-dominant outlook from the neighbours’ property. Therefore, I conclude on this issue that the living conditions of the occupants of Southwaite Barn would be materially harmed by the height, bulk and position of the proposed extension.

Character and appearance

8. The design and materials to be used in the proposed extensions would reflect the original building. However, Stable End already has an elongated footprint which would be considerably extended by the proposal. This would create an unusually long built form which would not reflect the style of other properties in this small hamlet. The rear wall of the property, abutting the green track would appear exceptionally lengthy when viewed from Easedale Road approaching Grasmere and the scale would be disproportionate to surrounding buildings.

9. The new gable end would also be much closer to the public highway and the poem to be inscribed on this end wall would draw further attention to the building. I conclude on this issue that the scale and bulk of the extended dwelling would be incongruous in the setting of the surrounding dwellings in this relatively untouched and particularly beautiful part of the National Park. This would be contrary to Policy NE1 of the Lake District National Park Local
Plan and Planning Policy Statement 7 – Sustainable Development in Rural Areas. This emphasises, amongst other things, that the National Parks have the highest status of protection in relation to landscape and scenic beauty and stresses that, in planning decisions, great weight should be placed on the conservation of the natural beauty of the landscape and countryside.

Conclusion

10. Therefore, for the reasons given, and having had regard to all other matters raised, I dismiss the appeal.

Anthony Lyman

INSPECTOR
Appeal Ref: APP/Q9495/A/09/2097630
91 Droomer Drive, Windermere LA23 2LP

- 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 R Nicholson against the decision of the Lake District National Park Authority.
- The application Ref 7/2008/5216, dated 11 April 2008, was refused by notice dated 12 August 2008.
- The development proposed is construction of a domestic extension.

Decision
1. I dismiss the appeal.

Main issue
2. I consider the main issues in this appeal to be:
   a) the effect of the proposal upon the outlook from the adjoining property at No. 89, and
   b) the effect on the character and appearance of the appeal property, the terrace of houses and the street scene.

Reasons
3. The appeal property is a 2-storey mid-terrace dwelling. Four of the five houses in the terrace are built with a set-back in the front elevation, and are arranged to give the houses a receding, staggered appearance along the length of the terrace. The proposal envisages a front-facing extension of the foremost section of the dwelling, part 2-storey and part single storey, built on the front garden area of the appeal property. The 2-storey section would be set under an extension of the main roof, while the single storey portion would have a lean-to roof projecting from just below an existing first floor bedroom window.

Effect on adjoining property
4. The extension would stand on the boundary with the attached property at No. 89, about 2m from its front door, and would project some 3.5m in front of the house. An evergreen hedge would have to be removed from the boundary to make way for the single storey flank wall of the extension. 3m away, the 2-storey section would rise above it. I consider that in the context of this small terrace of compact houses, the extension would appear substantial, and would have an adverse, overbearing and enclosing effect on the entrance to the adjoining property at No. 89.
Character and appearance

5. The staggered construction of the terrace on a rising site creates a simple and visually appealing arrangement which contributes positively to the street scene. I consider that the forward projecting extension would have a prominent and intrusive effect on the existing receding pattern of the front elevations. Further, its considerable size, stepped roof and distinctive front patio doors would result in a bulky and incongruous appearance which would harm the appearance of the existing house and the terrace. I therefore conclude that the proposal would have an unacceptable adverse effect on the character and appearance of the house and the street scene, and would be contrary to Policy ST3 of the Cumbria Structure Plan.

Victor Crumley

INSPECTOR
Appeal Decision

Hearing held and site visit made on 9 June 2009

by Victor Crumley  DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 June 2009

1. **Procedural matters**

   1. Although the development proposed was described as set out above, I consider that it would be more accurately described as 'extension to shop premises comprising storeroom, office, retail space and tourist information centre'.

2. **Decision**

   2. I dismiss the appeal.

3. **Main issues**

   3. I consider the main issues in this appeal to be:

      a) the effect of the entrance atrium proposed on the character and appearance of the building and the immediate surroundings;

      b) the effect of the traffic generated by the proposal on road safety.

4. **Reasons**

   **Character and appearance**

   The appellant company operates an outdoor equipment shop in an attractive, modern building of traditional appearance with main road frontage in the small hamlet of Plantation Bridge. To the rear of the shop, and detached from it is a former dwelling, now used as a store and office, which is considered to be inadequate and is to be removed. A new building similar to the existing shop, and set at right angles to it, would accommodate a new storage facility and office, while a small extension to the existing retail building is also proposed. The two buildings would be linked by an octagonal-shaped glazed atrium which would provide a new entrance to the buildings and accommodate a tourist information centre.
5. The existing retail building is attractively built of local stone and slate, and in its shape, massing and details of openings has the appearance of a rural barn. The new storage building now proposed would be of similar appearance. By contrast, the entrance atrium would be glazed except for a slate canopy, would be octagonal in plan and have a conical slate roof with a glazed lantern. The roof structure would be wholly above the ridge of the 'barns'. The overall height of the new entrance atrium would be 10m, some 3.5m higher than the ridge height of the existing building. The appellant argued that the glazed atrium was not designed to attract the attention of people in passing vehicles, but to create a distinctive and attractive entrance to the building for people on the site, and to provide a prominent position for the display of tourist information. It was also argued to be an effective and attractive method of achieving the right-angled junction between the existing shop and the proposed storage building.

6. I accept that the siting and wooded surroundings of the atrium would mean that it would not be highly visible to passing traffic, and I acknowledge the importance of designing the building to give prominence to the entrance. However, while its glazed structure would be transparent and would have a 'light-weight' appearance, its size, extensive glazing and distinctly modern form would dominate the appearance of the scheme as a whole, and would not fit in well with the low-key, local rural character of the existing building. In my view the atrium building would be more appropriate in a larger urban commercial setting. The commercial function here is set in a small village in a National Park, and I consider that the extension proposed should respect this. The atrium proposal is not the only means by which improved access to the building and a better tourism information service could be achieved. I conclude that its appearance would not reflect the character and appearance of the existing building or the immediate surroundings.

7. Government advice set out in 'Planning Policy Statement 1: Delivering Sustainable Development' (PPS 1) stresses (in paras. 34 and 36) the importance of good design, and the need to reflect the local context of the development. This is further emphasised in PPS 7 (para. 12). The need for development to reflect its setting is also reflected in Policy DP7 of the Regional Spatial Strategy for the North West of England. I conclude that the proposal would contravene the advice in these sources.

Road safety

8. Immediately to the south of the shop is a petrol filling station. Both premises front on to the A591 road which provides a main route to and from the Lake District. The access to both premises from the north is from a short deceleration lane, and from the south by means of a right-turning lane in the centre of the carriageway. There is in my view considerable scope for confusion and conflict between drivers entering and leaving both premises; this is compounded by the high speeds of traffic on the main road, and the presence of a number of private accesses. I consider the existing arrangements to be distinctly hazardous, and I have sympathy with the general safety concerns expressed by the National Park Authority (NPA) and residents.

9. The appellant calculated that the modest additional retail space proposed would result in the addition of just 14 additional car trips to and from the site per day.
No change in service traffic was anticipated. These figures have not been disputed by the NPA or the Highway Authority (HA). The NPA, supported by local residents, argued that any additional traffic using the entrance to the appeal site car park would make the existing situation worse. However, the HA advised that the extension of the central waiting lane to provide for right-turning traffic into the appeal site would offer safety improvements. I agree with this view, and I also consider that further improvements could be achieved by improved lining and minor works at the junction between the site access and the highway. This could be achieved through a condition of any planning permission. In these circumstances, in spite of my concern about the present arrangements, I accept that the small additional traffic generation from the proposal would not materially harm road safety, and could promote limited improvements. I conclude that the proposal would not conflict with Policy TR4 of the Lake District National Park Local Plan.

Conclusion

10. Although I accept that the proposal would not be harmful to road safety, I have determined that the entrance atrium would not respect the character and appearance of the existing buildings or the immediate surroundings. I consider that this outweighs the absence of harm to road safety, and I therefore conclude that the appeal should be dismissed and planning permission refused.

*Victor Crumley*

INSPECTOR
APPEARANCES

FOR THE APPELLANT

Mr Keith Jones  Steve Abbott Associates, Wigan, Agents
Mr Philip Chadwick  Savage and Chadwick, Kendal, Architects
Mr Colin Hartley  Appellant

FOR THE NATIONAL PARK AUTHORITY

Mr Neil Henderson  Planner

THIRD PARTIES

Mr Alan Barnes  Gale Syke, Plantation Bridge
Mr John Kaye  Crows nest, Plantation Bridge
Mr Brian Newton-Taylor  Heathcote, Plantation Bridge

DOCUMENTS

No additional documents were submitted to the Hearing.

PLANS

Plans 1-2  Application plans

PHOTOGRAPHS AND VISUAL REPRESENTATIONS

Drawings 1-4  Application drawings