



Appeal Decision

Hearing held on 26 March 2013

Site visit made on the same day

by Mrs A L Fairclough MA BSc(Hons) LLB(Hons) PGDipLP (Bar) IHBC MRTPI

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

Decision date: 13 May 2013

Appeal Ref: APP/Q9495/E/12/2188356

Gillside Barn, Tongue Ghyll, Grasmere, Cumbria LA22 9RU

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr Adrian Sankey against the decision of Lake District National Park Authority.
 - The application Ref: 7/2012/5145, dated 1 March 2012, was refused by notice dated 13 June 2012.
 - The works proposed are the introduction of a craft light window.
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Decision

1. The appeal is dismissed.

Main Issue

2. Gillside Barn is a Grade II Listed Building that lies within the Lake District National Park. On this basis the main issue is the effect of the works on the special architectural and historic interest of the listed building.

Preliminary Matters

3. The evidence submitted by the National Park Authority refers to landscape changes which create an overly domestic appearance including landscaping of the space around the barn and the construction of a stone wall. However, these elements are not part of the proposal before me. It is on the basis of the appeal scheme that I determine this appeal.

Reasons

4. Gillside Barn is described as an 18C barn which is most probably contemporaneous with the adjacent farmhouse which is a separate Listed Building. The appeal building is constructed in various sizes of stone using a dry stone wall technique and it has a slated roof. It is a robust looking building which is solid in appearance with few openings. This makes the stone walls visually dominant on each elevation. It also has distinctive drip course details and elongated 'quoin' stones which are typical features of early bank barns in the locality. The simple symmetry of the south west elevation was created by the positioning of the ground floor door. This was further defined by the recent approval for a first floor shuttered opening. The other elevations have very few doors and other apertures.

5. Thus I consider that the design, mass and form of the barn, the use of traditional materials and construction techniques and the relationship of the barn with the adjacent farmstead all contribute to the special architectural and historic interest of the building.
6. The proposal is to insert a 4-pane hardwood sliding sash window on the south western gable elevation. It would measure 110mm x 900mm and it would be positioned to the right of the existing ground floor entrance door on that elevation.
7. I have been referred to Policy CS27 of the *Lake District National Park Local Development Framework Core Strategy* (CS) adopted 2010 and Policy BE13 of the *Saved Lake District National Park Local Plan and Joint Structure Plan Policies* – a consolidated document produced in 2010 (LP). The criteria of these policies reflect my statutory duty to ensure that special regard is paid to the preservation of the historic character of a listed building when considering the effect of an alteration.
8. Given the robust form and functional elevational treatment, I consider that the proposed window would undermine the traditional vernacular character of the building, as a former agricultural building. Furthermore, given the position of the window and the removal of the stonework, I consider that the proposed works would disrupt the simple symmetrical elevation and would create an awkward relationship with the adjacent doorway. As such the proposed works would appear incongruous when viewed from the access road and from glimpses from the nearby public footpath. Also although a traditional sash window is proposed, it would be significantly different to the other apertures on the barn and would create a strident domestic feature.
9. Thus the works would have a deleterious impact on the special architectural and historical interest of the listed building and the significance of the designated heritage asset would be harmed. The harm it would cause to the significance of the listed building is less than substantial on the basis that the archaeological, architectural and historic qualities would be left largely intact. Paragraph 134 of the National Planning Policy Framework (The Framework) states that where a proposal would lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal.
10. The proposal would provide some benefit to the appellant, notably improved work space to fulfil the appellant's requirements for adequate natural light in order to adequately create and quality control the high quality glass pieces that he makes, which include bespoke chandelier components and other sculptural glass pieces. This in turn would positively contribute to the Lake District economy as the appellant states that this building as a small business would be able to accommodate additional employees once adequate working conditions are achieved. This would enable the appellant's business to satisfactorily compete in the changing market of the hand blown glass making industry, which has changed significantly since the building was first converted for such use. The appellant states that the National Park Authority is supportive of local businesses.
11. I acknowledge that the appellant has implemented significant improvements to the heritage asset over the last 20 years or so. This includes improved energy efficiency as well as the effective reuse of the building as a business and

potential employment use. I note that paragraphs 95 and 28 of the Framework support energy efficiency and rural businesses. I also note that the proposed window would contribute to energy efficiency as currently 19% of the electricity used is spent on lighting the building. However, paragraph 131 of the Framework requires that new development should make a positive contribution to local character and distinctiveness. The National Park Authority considers that the building has undergone significant alterations since 1992 to accommodate a new use as a glass making studio. From the photographic and documentary evidence submitted I agree with this analysis. Furthermore, established national guidance states that where a proposal causes minor harm there will still be a loss of value to society caused by that harm and some works may seem individually of little importance but can cumulatively be destructive of a heritage asset's significance.

12. The appellant refers to other barns in the National Park that have window insertions. However, I am unaware of the full background of these schemes. In any case I am required to determine each appeal on its own merits and I have done so in this case.
13. There may be some public benefit as a result of the proposal but there is no guarantee that the insertion of the window would lead to additional employment. In that context, the benefits of the proposal are not sufficient to outweigh the harm it would cause to the special interest and significance of Gillside Barn. Consequently the appeal proposal would conflict with the Framework. It would also conflict with CS Policy CS27 and LP Policy BE13.

Other Matters

14. I note the appellant's dissatisfaction about the way that this and previous applications have been handled by the Council. However, this is something on which I am unable to adjudicate, in the context of a listed building consent appeal.

Conclusions

15. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should fail.

Mrs A Fairclough

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Mr Adrian Sankey	Appellant
Mr Kim Tullett MRTPI	Agent for the appellant

FOR THE LOCAL PLANNING AUTHORITY:

Ms Jackie Ratcliffe MRTPI	Planner, Lake District National Park Authority
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DOCUMENTS

- 1 Notification of hearing submitted by the National Park Authority
- 2 List of Glassworking equipment as submitted by the appellant
- 3 Layout plan of building as submitted by the appellant
- 4 Listed building description as submitted by the National Park Authority

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