

Kirkoswald Conservation Area Character Appraisal and Management Plan

March 2020

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1 Introduction

1.1 Background to appraisal

- 1.1.1 Conservation areas are defined in planning law as ‘areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance’ (Planning (Listed Buildings and Conservation Areas) Act 1990). Local planning authorities have a responsibility to designate areas within their authority which are considered to be of special architectural or historic interest as conservation areas. The planning authority also have a duty to review these designations on a regular basis and where necessary, alter the boundary of the conservation area, or even remove the designation altogether.
- 1.1.2 A character appraisal for Kirkoswald conservation area was published in December 2007 by Eden District Council. This appraisal and management plan includes an up to date description and assessment of the historical, architectural and townscape qualities of Kirkoswald conservation area along with new and/or revised planning policies relating to conservation of the historic environment.

2 Planning Policy Context

2.1 National Planning Policy

Planning (Listed Buildings and Conservation Areas) Act 1990

- 2.1.1 Section 69 requires that local planning authorities shall determine which parts of their area are areas of special architectural or historic interest and shall designate those areas as conservation areas.
- 2.1.2 Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places on local planning authorities the duty to draw up and publish proposals for the preservation and enhancement of conservation areas in their districts.
- 2.1.3 Section 72 of the Act places a duty on the local planning authority in the exercise of their planning functions, to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.
- 2.1.4 Section 73 of the Act requires the local planning authority to publicise proposals which would in their opinion affect the character and appearance of a conservation area. Such proposals need not be within the conservation area but would affect its setting, or views into or out of the area.

The Enterprise and Regulatory Reform Act, 2013

- 2.1.5 The ERR Act 2013 was introduced in an attempt to simplify heritage regulations. The following measures were taken into account and introduced as part of the Act:
 - Measures to provide clarity on what is and is not protected when a building is listed;

- A Certificate of Immunity from listing can be applied for at any time;
- The removal of the requirement for Conservation Area Consent but the retention of the requirement to obtain planning permission for demolition of buildings within conservation areas;
- National and local class consents which automatically grant consent for certain works to listed buildings; and
- The introduction of a Certificate of Lawfulness of proposed works to listed buildings.

National Planning Policy Framework (NPPF), DCLG, 2019

- 2.1.6 The National Planning Policy Framework (NPPF) was published by the Department for Communities and Local Government (DCLG) in 2012 and a revised version was published in July 2018 and again in February 2019. It sets out the Government's planning policies for England and specifies how these policies should be applied.
- 2.1.7 Chapter 16: *Conserving and enhancing the historic environment* sets out policies to conserve heritage assets in a manner appropriate to their significance. Key paragraphs relating to development within conservation areas are outlined in appendix A.

Advice Notes

- 2.1.8 Historic England is the Government's adviser on the historic environment in England. They have published a number of advice notes intended to assist local planning authorities, planning and other consultants, owners, applicants and other interested parties in implementing historic environment policy contained within the NPPF and Planning Practice Guidance. A list of the documents can be found in appendix A and can be downloaded from Historic England's website <https://historicengland.org.uk/images-books/publications/>
- 2.1.9 The document Conservation Principles (2008) sets out criteria used to determine the significance of heritage assets. Significance is assessed against four heritage values:
- **Evidential value** - the potential of a place to yield evidence about past human activity.
 - **Historic value** - derived from the way the past can be connected to the present, it can be illustrative or associative.
 - **Aesthetic value** – the ways in which people draw sensory and intellectual stimulation from a place.
 - **Communal value** – derived from collective experience or memory
- 2.1.10 A consultation on a revised Conservation Principles document closed in February 2018 and Historic England are working to publish a new version in 2019.

2.2 Local Planning Policy

Local Development Plans

2.2.1 The NPPF 2019 (paragraph 185) sets out policies for the preparation of Local Development Plans by the local planning authority. To be compliant with the NPPF local development plans should set out a positive strategy for the conservation enjoyment of the historic environment including heritage assets most at risk of neglect, decay and other threats. The strategy should take account of the following:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the wider social, cultural and environmental benefits that conservation of the historic environment can bring;
- c) the desirability of new development making a positive contribution to local character and distinctiveness; and
- d) opportunities to draw on the contribution made by the historic environment to the character of a place.

2.2.2 The Eden Local Plan 2014-2032 adopted in October 2018 sets out how we are planning to manage the growth of new jobs, homes and infrastructure in Eden over the period 2014-2032. Table 1 in appendix A outlines the key policies relating to the historic environment of the Eden District as contained in the Eden Local Plan.

Supplementary Planning Documents

2.2.3 The role of Supplementary Planning Documents (SPD) is to provide guidance on local planning matters. The Management of Conservation Areas SPD is intended to provide guidance to the public and developers when considering proposals in conservation areas. It will also be used as a material planning consideration in the determination of relevant planning, advertisement, listed building and conservation area consent applications as well as to inform management issues in our town centres and villages designated as conservation areas. It will complement other SPDs namely:

- Eden Design Guide Summary (1999)
- Shopfront and Advertisement Design (2006)
- Accessible and Inclusive Environment (2005)
- Housing (Draft 2020)
- Cumbria Landscape Character Assessment Toolkit (2011)
- North Pennines Area of Outstanding Natural Beauty (AONB) Building Design Guide (2011)

- North Pennines Area of Outstanding Natural Beauty (AONB) Planning Guidelines (2011).

Neighbourhood Planning

- 2.2.4 The 2011 Localism Act introduced a new set of tools for neighbourhoods to come together and shape the future of their local areas. One of these tools is neighbourhood plans. Neighbourhood Planning enables Town and Parish Councils or Neighbourhood Forums to prepare, with the community, a formal planning document for their area. It allows local people to take a proactive role in shaping the future of the areas in which they live and greater ownership of the plans and policies that affect their local area. A second tool is a Neighbourhood Development Order which allows neighbourhoods to grant permission for certain developments to take place in their area, without planning permission from the District Council.
- 2.2.5 Within the Eden District there are 13 parishes designated as a Neighbourhood Planning Area and able to produce their own neighbourhood plan or development orders. A further 2 parishes have also applied to be designated as a Neighbourhood Planning Area. See appendix A for the full list.
- 2.2.6 The Upper Eden Neighbourhood Development Plan 2012-2025 was approved at a local referendum and adopted as planning policy by Eden District Council in April 2013.

3. History

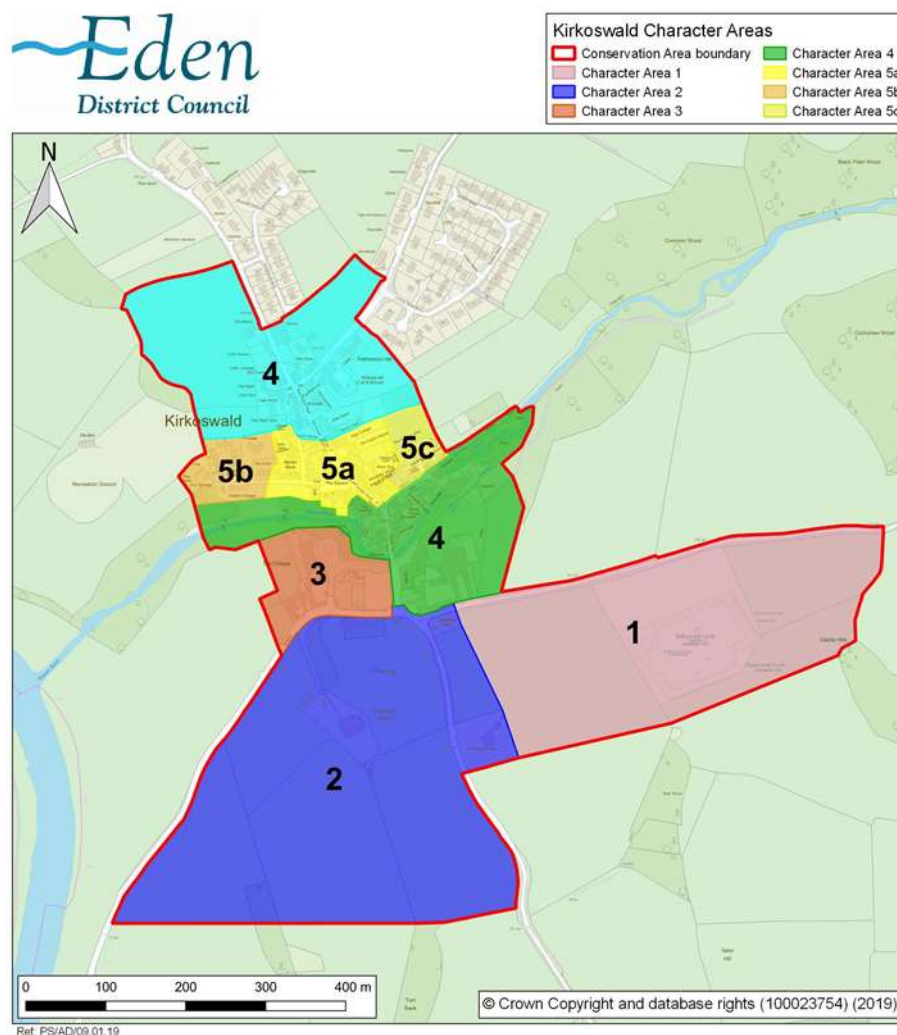
- 3.1.1 The settlement of Kirkoswald and its church take their name from St Oswald, King of Northumbria. According to legend he toured the pagan north with St Aidan in the seventh century and stopped at a well on the site of the present church and converted the local inhabitants to Christianity.
- 3.1.2 Kirkoswald has a long and interesting history. Now a village, this former town was granted a market charter in 1201. What form and size the town was at that time is unclear, but in the Middle Ages it had a castle and church and later a priests' college and a market. Its important position close to the river Eden and situated on the trading/droving route along the base of the Pennine range would have made Kirkoswald a town of some size and activity. There is documentary evidence that in 1271 a cloth mill, water mills, a bakery and a brewery existed in the town. The town and castle were burnt on three separate occasions by the Scots during their raids in the medieval period.
- 3.1.3 The Castle, now a ruin to the east of the village, was granted a licence to crenellate in 1201. It was subsequently improved and enlarged, culminating in the construction of a ditch/moat in the early sixteenth century. Occupied until 1604, the then owner, Lord William Howard, began to dismantle it and sell off the contents and materials. Some of the materials found their way into the buildings of the village such as The College.
- 3.1.4 The present church dates from at least 1130, with alterations in the late twelfth century, mid thirteenth century and around 1523 when the nearby priests' college was established. There are also later nineteenth and twentieth century alterations. An underground passage is thought to exist from the castle to the church. Certainly the church is constructed over a beck. The bell tower of the church is most unusual being situated on a hill to the north east. The present bell tower dates from the 1890's altering an earlier structure of the 1740's. This earlier structure in turn was built upon the foundations of an older tower. The reason for this separate tower is supposed to have been to enable the parishioners to hear the bells as a summons to prayer, but may in fact have been as a result of inadequate foundations at the church.
- 3.1.5 In 1523 The College, a seminary, was established around the existing fifteenth century Pele tower at the then Vicarage. After the dissolution of the monasteries the property was let to various tenants and then sold to the Fetherstonehaugh's in 1590, in whose family it still remains. It has since been much enlarged and altered.
- 3.1.6 The town, despite fluctuating fortunes, appears to have remained as an important market town until the mid-nineteenth century. The weekly market held on a Thursday and corn market on a Monday were described in 1847 as 'nearly obsolete' although the three corn mills, saw mill, paper mill and woollen mill remained active. The larger industries moved towards the bigger towns and the bypassing of the town by the Settle Carlisle Railway in 1870's heightened this decline in status and its present character as a village was established.

3.1.7 The ancient market cross which once stood in the Market Square is no longer there, but the early eighteenth century village stocks remain and the site is now marked by an attractive modern cross and war memorial.

4 Character Areas

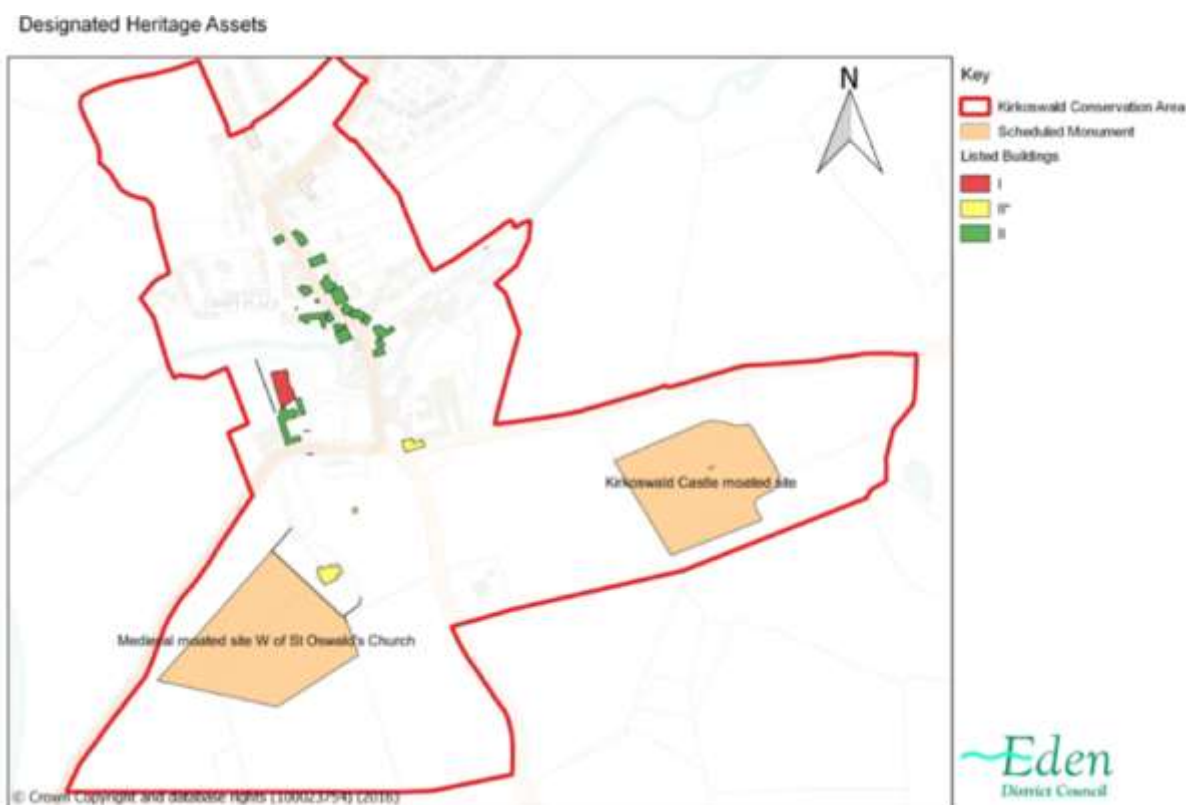
4.1.1 The Kirkoswald conservation area can be divided into six individual character areas, as shown on figure 1.

Figure 1 Character Areas



4.1.2 There are two scheduled monuments and numerous listed buildings found within the conservation area boundary, as shown on figure 2. There have been no additional assets designated or any assets removed from the national heritage list since the appraisal in 2007. The list descriptions for these designated assets are contained within appendix B.

Figure 2 Heritage Assets



Character Area 1

4.1.3 The area defined as character area 1 comprises of large arable fields to the south of an unclassified road leading east to the North Pennine Hills. The fields are bounded by maintained hedgerows and/or post and wire fences and some are used for grazing livestock.

Figure 3 (left) Road heading east through a landscape of arable fields bounded by hedgerows and post and wire fences

Figure 4 (right) Remains of Kirkoswald Castle



4.1.4 The area is home to Kirkoswald Castle which is designated as a Scheduled Monument and a grade II listed building (see figure 2). The castle provides evidence of the medieval origin of the village and is set within a plot surrounded by large mature trees. The remains are the only standing structure within the character area forming a landmark with some inter-visibility between the Old Vicarage and the Church Bell tower located within character area 2.

Figure 5 (left) Public footpath to Glassonby crosses through the character area

Figure 6 (right) Long distance view looking west towards the Church bell tower



- 4.1.5 The character area provides a peaceful and tranquil setting for walkers using the public footpath to Glassonby and enjoying the long distance views of the Pennines to the east and Lazonby village to the south-west.

Condition assessment

- 4.1.6 The Kirkoswald Castle is included on the Heritage at Risk register maintained by Historic England. The ruins of the castle are heavily overgrown, saplings grow from the walls and roots are dislodging the facing stones. The listed building (1327059) is classified as a grade A priority category- immediate risk of further rapid deterioration or loss of fabric. The scheduled monument (1019939) is classed as having extensive significant problems and in need of management.

Character Area 2

- 4.1.7 The area defined as character area 2 comprises of large undulating fields and low lying floodplain to the south of the B6413 at the southern end of the village. The arable fields are bounded by a mixture of stone walls, maintained hedgerows, post and wire fences, and mature trees. The B6413 from Lazonby village is a wide road with wide verges, no road markings and minimal roads traffic signs. It traverses the low lying floodplain land of the river Eden and offers long distance views of the surrounding countryside.

Figure 7 Low lying land of character area 2



Figure 8 B6412 approaching the village from the south from Lazonby



- 4.1.8 The area is home to the medieval St Oswald's Church and graveyard which is designated as a grade II* listed building. The wall surrounding the churchyard and the gatepiers to the north of the church are also designated as grade II listed buildings. The church is located in a corner of a low lying field and is screened from the village by large mature trees and surrounding higher ground to the north east. The grade II* designated church bell tower is located at an elevated position to the north east of the church and is a key landmark being visible in views from all directions. Archaeological evidence of a medieval moated site located to the west of the Church is designated as a Scheduled Monument. The Old Vicarage property is also located within this character area.

Figure 9 Church of St Oswald



Figure 10 Church bell tower



- 4.1.9 The character area is also home to a small agricultural storage site located on the opposite side of the hill behind the church and accessed from the B6413.

Condition assessment

- 4.1.10 St Oswald Church is constructed of red sandstone and has a slate roof with sandstone ridges and copings. Windows are a mixture of leaded and stained glass windows and pointed mullioned windows. Doors are of timber panel construction. The church is bounded by a sandstone wall featuring decorative iron gates in stone gate posts. The path leading to the church retains cobbles and stone flags. The Old Vicarage is a two storey building of red sandstone with a Westmorland blue slate roof. Its windows are timber sash construction

with multiple styles/ numbers of panes. Overall the external aspects of the church are in an ok condition with some minor repairs evident/ required. The church bell tower and the Old Vicarage also appear to be in a good condition.

Figure 11 Cracked glass in south elevation window of St Oswald Church



Character Area 3

4.1.11 The area defined as character area 3 comprises of land enclosed within a high sandstone boundary wall incorporating intermittent entrances. This boundary wall is the former walled garden of The College and associated buildings and is a dominant feature of the streetscape. The College is a late 15th century building formerly a college for vicars, and is designated as a grade I asset. The college flat, south-east entrance gateway, and stable block are grade II designated listed buildings. The buildings have a physical relationship but the functional relationship is not as evident with the buildings having alternative uses and separate ownership. The walled garden is currently in use as a car parking area for an adjacent garage business.

4.1.12 The B6412 passes through the character area as it continues into the village. There are informal pavements running alongside with sandstone kerbs.

Figure 12 (left) South-east entrance gateway to The College

Figure 13 (right) sandstone boundary wall of former walled garden



Condition assessment

4.1.13 The College and College Flat are not visible from public roads and thus have not been surveyed as part of this appraisal. The relevant list descriptions confirm the buildings are two storeys constructed of red sandstone and featuring timber sash windows. The stable block and adjoining buildings are U

shaped in plan form and constructed of red sandstone with blue slate roofs and sandstone ridges/copings. They have been subject to minor alterations with evidence of blocked former openings but the buildings appear to be in good condition. The former garden boundary wall also appears to be in a sound condition.

- 4.1.14 There have been no applications for planning permission or building regulations approval submitted to the local planning authority within this area since adoption of the existing conservation area appraisal. It is therefore assumed to be relatively unchanged in nature and appearance.

Character Area 4

- 2.1.8 The area defined as character area 4 covers the part of the village located on the banks of the Raven Beck watercourse and has an industrial character deriving from the establishment of historic mills. It is located on a meander of the river with steep and vegetated riverbanks and visible only from the bridge and accessed from a lane behind some cottages.

Figure 14 (left) River flowing west towards former cotton mill

Figure 15 (right) Convenience store and post office



- 4.1.16 The area is home to a mixture of uses including: agriculture/farming, a garage business, a convenience shop and post office, a Doctor's surgery, and residential properties.
- 4.1.17 There are a few designated assets including: the grade II* listed Demesne Farmhouse of 17th century origin; and the grade II listed Manor House of 18th century origin. Demesne Farmhouse is a prominent landmark on approach to the village from the south. Along with the garage business, Demesne farm is separated from the main grouping of buildings along Bridge Street. Here the streetscape becomes narrower with an active built frontage as properties front the pavement. After Bridge Street the streetscape widens and properties are set back from the road with small front gardens.

Figure 16 Demesne Farmhouse



Figure 17 Manor House



Condition assessment

4.1.18 Buildings in the area are predominantly two storey constructed of sandstone with only a handful rendered, painted or ashlar. The roof coverings are a mixture of greenslate, sandstone flag and blue/grey slate with two modern corrugated coverings. Approximately half of the windows have been replaced by either mock sash or uPVC styles. Sash windows are typically vertical sliding sash with a mixture of 4, 12 and 16 panes. Of the eight buildings surveyed to inform the 2007 appraisal, three buildings (38%) have sets of new replacement windows – one set in uPVC and two sets of modern sash. A handful of buildings contain features such as quoins, date stones and stone boundary walls around their front gardens.

4.1.19 Overall the buildings appear to be in a good condition. With the exception of a handful, buildings generally retain materials and features that contribute to the character of the area.

Character Area 5

4.1.20 Character area 5 can be subdivided into three character areas 5, 5a, and 5b.

4.1.21 The area defined as character area 5a is the central part of the village and has a tight-knit form with grand buildings and few green spaces. The central area of the village widens out around a small cobbled market square which features the 18th century village stocks (grade II) and a war memorial. The Market Square is enclosed on its north, west and south sides with a road cutting through the west to Back Lane and Croft Place. It is accessed from Fetherston Hill road running along its eastern side. The Market Square has a cobbled surface and is used for informal car parking. The war memorial is a landmark within the area and is protected by a low iron rail fence. Two metal seats provide a public seating space next to the monument.

4.1.22 The former Methodist Church located on the western side of the market square is currently used as a community hall.

Figure 18 Market Square featuring a wall memorial is used for informal parking



4.1.23 The buildings in this area predominantly date from the 18th and 19th centuries and are constructed of red sandstone with slate roofs and sandstone ridges. Some buildings are 3 storeys and have been ashlar fronted which represents their commercial status in comparison to the two storey residential properties. There are a number of grade II listed buildings within this area that show the village had a number of public houses and hostelries, including: George House, Wordsley House, Crown Hotel, Featherstone Arms Hotel and the Black Bull.

Figure 19 The Crown Inn



Figure 20 Cobbled surface evident outside George House



Condition assessment

4.1.24 Buildings in character area 5a are predominantly two storey with a small number of three and single storied buildings. Half of the buildings are red sandstone and the other half are finished with ashlar or render. The Fetherston Arms pub is an exception being constructed of a Yorkshire yellow coloured stone. Roof coverings consist of a mixture of: green slate, sandstone flag and Westmorland blue slate with the latter being the most common. Approximately half of the windows (48%) have been replaced by either mock sash or uPVC styles. Vertical sliding sash windows are typically of 4 panes or 12 panes with only a few 16 panes in style. Most of the buildings have windows set in stone surrounds with some also moulded/painted.

4.1.25 The area retains traditional cobble and sandstone flag surfaces outside a number of buildings. Overall the buildings appear to be in good condition with evidence of maintenance works and some refurbishments. With the exception of original windows, features and materials which contribute to the character of the area have been retained.

4.1.26 Character area 5b comprises of a modern cul-de-sac residential development of single storey properties located off Croft Place. The area is landscaped with tarmac roads and pavements with concrete kerbs, parking spaces on modern paved drives, raised planting beds and aluminium streetlamps. There are a couple of vernacular properties located adjacent to the cul-de-sac development.

Condition assessment

4.1.27 The buildings of character area 5b are predominantly 21st century rendered bungalows with modern roof coverings and uPVC windows. There is one traditional two storey dwelling constructed of sandstone with flush quoins, a Westmorland blue slate roof and a sandstone boundary wall with gate posts.

Figure 21 Modern residential development



4.1.28 Character area 5c comprises of a modern cul-de-sac residential development located at an elevated position at the end of Ravenghyll street. The area is landscaped with tarmac roads and pavements with concrete kerbs, private driveways of modern block paving and aluminium streetlights. There is also a small group of vernacular cottages.

Figure 22 Vernacular cottages



Figure 23 Modern housing development



Condition assessment

4.1.29 The buildings of character area 5c are all two storeys. The 21st century houses are constructed of brick and render with modern roof coverings, uPVC windows, integral garages and PVC guttering. The traditional buildings are constructed of sandstone and half have been rendered. Some have blue slate roof coverings, either timber or PVC windows in stone surrounds, and contain features such as date stones and timber bargeboards. With the exception of one building that has been poorly pointed the buildings appear to be in a good condition.

Character Area 6

4.1.30 The area defined as character area 6 is where the village rises uphill from the Market Place along Fetherston Hill road and is enclosed to the north, east and west by rolling fields interspersed with areas of forest. The elevated areas offer long distance views of the surrounding countryside.

4.1.31 The area is predominantly residential with a school, Methodist Chapel and allotment site making up other uses/services. Nearby recreational fields located outside of the conservation area boundary are visible from a gap site on Back Lane.

Figure 24 Large regular fields to the north-west of the conservation area



Figure 25 Methodist Chapel



4.1.32 There are numerous vernacular buildings located within this area of 18th century and 19th century date but only two buildings are designated as grade II listed buildings: Hill House and Eden Bank. Where the land rises steeply from the Market place to a road junction the properties are built into the hillside and accessed by external steps. There are two large c.1970s housing estates located on the outskirts of this character area (Roods Place and Little Sandhill) which are out of character in form, design and materials to the traditional development of the village.

Figure 26 Hill House



Figure 27 Property built on steep rising land



Figure 28 Modern housing development



Figure 29 Cobble and stone flag surfacing



4.1.33 The area retains some traditional cobble surfaces with sandstone flags along roadsides and down lanes to properties. These are mixed with modern tarmac roads, pavements and concrete kerbs. At the road junction there is a minimal amount of street furniture and road traffic signs including a traditional black and white style direction signpost.

Figure 30 Street furniture at junction with Back Lane / Fetherston Hill



Condition assessment

4.1.34 The buildings of area 6 are two storey with a handful of single storey dwellings and bungalows. Red sandstone and dash render are the most common building materials with one property ashlar fronted. Roof coverings are a mixture of sandstone flag, blue slate, modern tile and greenslate – the latter being the least common. The majority of windows have been replaced with

uPVC or mock sash. Less than half of the total surveyed buildings retain traditional vertical sliding sash windows and have a mixture of 18, 16, 12 and 4 panes. A small number of buildings have sandstone boundary walls with iron railings, date stones, and cobbles to the external areas. Other than the replacement of windows, there is minimal evidence of modern interventions such as TV aerials and paved driveways.

- 4.1.35 Of the seventeen buildings surveyed to inform the 2007 appraisal, nine (53%) have been subject to some alterations/ loss of features.

5 Management Plan

5.1 SWOT Analysis (Strengths, Weaknesses, Opportunities and Threats)

- 5.1.1 Despite its issues, Kirkoswald is a dynamic place where people live, work and visit. The conservation area designation is not designed to preserve what is there at present, but is intended to guide change and to enable development which makes the best use of the area's attributes for the benefit of all. There are a number of measures which can be taken to actively preserve the qualities of the area and to promote improvement.

Strengths

- Views of surrounding countryside and fells

Opportunities

- Local List of non-designated heritage assets
- Article 4 Direction
- Conservation area boundary review

Weaknesses

- Loss of original features
- Cars parked on market square and roadside

Threats

- Further incremental loss of original features which remain

5.2 Conservation Area Boundary Review

- 5.2.1 The boundary of the conservation area is considered to be appropriate and no amendments are required. The conservation area retains its special architectural and historic interest that awarded the designation.

5.3 Protection of the Historic Environment

Designated and non-designated heritage assets

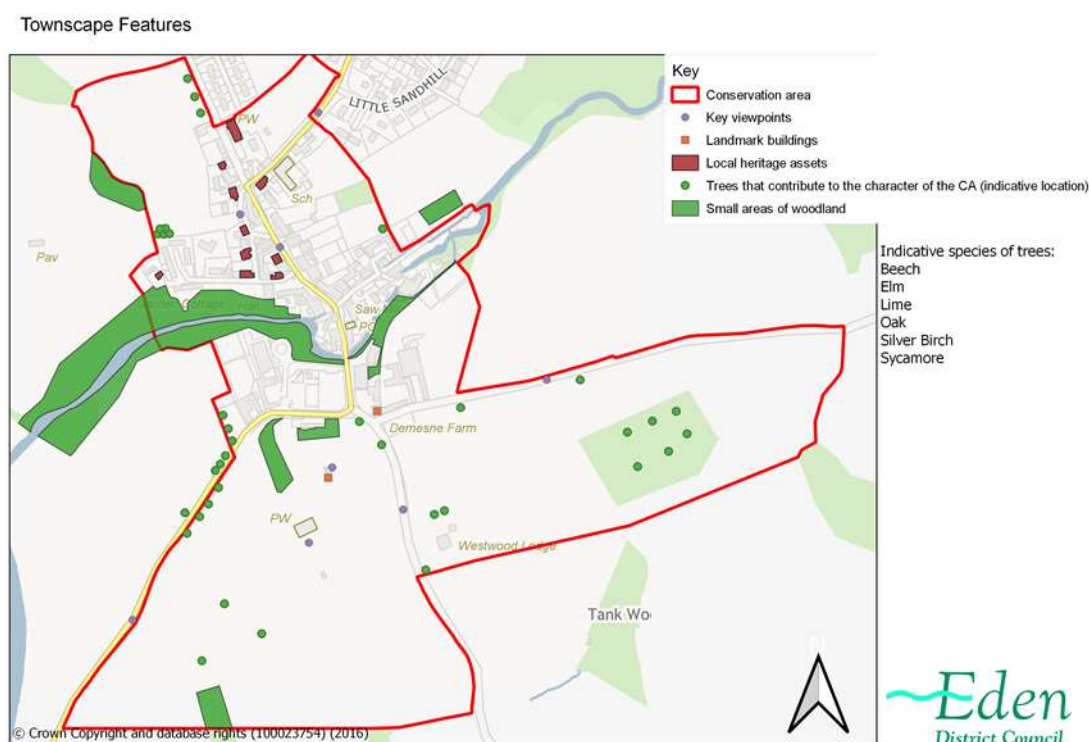
- 5.3.1 A considerable number of buildings within the historic core of the conservation area are designated as listed buildings and afforded extra levels of protection against changes which could erode their architectural integrity. The following non-designated buildings are also considered to contribute to the character and significance of the conservation area (see figure 31).

- Old Chapel on Back Lane
- Hill Side
- 1-2 Raven Bank
- Laburnham House
- Kings Head House
- Church Institute, The Square
- Ivy Cottage
- Fetherston House
- Holly Cottage
- Inglenook
- Methodist Chapel

Public realm

- 5.3.2 Other elements of note exist in the retained historic cobble setted surfaces found in the market square; outside a number of buildings including George House; and along roadsides/lanes. These surfaces are a key part of the character of the conservation area. Wherever possible they should be retained and reinstated where they have sustained damage.
- 5.3.3 There are a number of trees and some small areas of woodland that contribute to the landscape character of the village and its setting. The indicative location and species of these trees are shown on the townscape features plan (figure 31).

Figure 31 Townscape Features



Permitted Development Rights and Article 4 Direction

- 5.3.4 Permitted development rights allow householders to improve and extend their homes without the need to apply for planning permission. Householder permitted development rights are set out in the **Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”) as amended**. Schedule 2, Part 1 of the Order covers various types of development and what is acceptable under permitted development. Appendix C includes a guidance note on the types of the ‘development’ that fall under Permitted Development Rights.
- 5.3.5 Householder Permitted development rights do not apply to Listed Buildings, houses which are flats, or houses created through a change of use for example from a shop or agricultural building. They also do not remove requirements for permissions or consents under other regimes such as the building regulations and Party Wall Act.
- 5.3.6 The buildings within the conservation area are predominantly residential and therefore subject to permitted development rights for incremental changes including replacement of windows. However those works that do require planning permission but where none was sought may be subject to enforcement action.
- 5.3.7 A local planning authority is allowed to restrict permitted development rights in specific areas by issuing an Article 4 Direction. This withdraws automatic planning permission granted by the GPDO for certain types of work and a householder would need to apply for planning permission for those works.

- 5.3.8 Article 4 Directions offer the opportunity to restrict 'permitted development rights' to protect historic features that are of importance to the character of a conservation area.
- 5.3.9 It is important to emphasise that an Article 4 Direction to restrict permitted development rights should only be introduced where there is a clear justification to do so. With this in mind and following the outcome of the conservation area review, it is considered likely that an Article 4 direction would not be of benefit to Kirkoswald conservation area, to address the remaining residential properties which retain historic details such as sash windows.

Planning Policies

- 5.3.10 The following set of generic management aims and objectives are based on the understanding of the conservation area. They seek to provide guidance to both Eden District Council in determining planning applications for development, but also to building owners and developers when preparing development proposals.

1. New Developments

Aim: to ensure developments reflect the historic context of the conservation area

Objective: When determining applications for planning permission, the local planning authority will seek to ensure high quality developments that are of appropriate scale, density, height, form, massing and materials to traditional buildings within the conservation area.

2. Green spaces, woodland and trees

Aim: To enhance the provision and use of green spaces, woodland areas and trees within the conservation area

Objective: When determining planning applications, the local planning authority will consider the potential impact of developments that directly effect green spaces, woodland areas and trees and/or their setting and will seek to ensure their contribution to the significance of the conservation area is preserved and where possible enhanced.

3. Doors and Windows

Aim: To preserve historic fenestration patterns and features

Objective: When determining planning applications, the local planning authority will consider the potential impact of alterations to traditional windows and doors and seek to ensure their contribution to the significance of the conservation area is preserved and where possible enhanced.

High quality door and window fenestrations which respect the proportions, form, details and materials of traditional features of individual buildings and the wider streetscape are encouraged. The replacement and loss of historic and important windows and doors will not be permitted, unless it can be

demonstrated that they are beyond economical repair and there is a wider public benefit to their replacement.

4. Views and Setting

Aim: To preserve key local and long distance views in and out of the Conservation Area, including views of the surrounding countryside that forms the setting of the Conservation Area.

Objective: The local planning authority will consider the potential impact of development proposals within or on the edge of the conservation area on key views and the setting of the conservation area and seek to ensure their contribution to the significance of the conservation area is preserved and where possible enhanced.

5. Roofscape

Aim: To ensure the contribution of the roofscape to the significance of the conservation area is preserved and where possible enhanced.

Objective: the local planning authority will consider the potential impact of development proposals on the roofscape of the conservation area and will seek to encourage the retention, repair and re-use of sandstone flags or blue slate laid in traditional courses.

Guidance

- 5.3.11 The information leaflets included within appendix C provide guidance on the types of development works that require: planning permission, planning permission including demolition in a conservation area, and/or listed building consent and are also available to collect from the reception at Eden District Council Mansion House office. Advice is also available via the Eden District Council website (<https://www.eden.gov.uk/planning-and-building/planning-guidance/>) and/or the planning portal website (<https://www.planningportal.co.uk/>).

6 Contact Details

For further information please contact:

Conservation Officer
Eden District Council
Mansion House
Penrith
Cumbria CA11 7YG

Appendices

Appendix A - Planning Policy

Key paragraphs of the NPPF, 2018

185. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

186. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

192. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site;
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

- the harm or loss is outweighed by the benefit of bringing the site back into use

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or better reveal its significance) should be treated favourably.

201. Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 195 or less than substantial harm under paragraph 196, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.

Historic England Advice Notes

- Conservation Area Designation, Appraisal and Management: Advice Note 1 (February 2016)
- Making Changes to Heritage Assets: Advice Note 2 (February 2016)
- The Historic Environment and Site Allocations in Local Plans: Advice Note 3 (October 2015)
- Tall Buildings: Advice Note 4 (December 2014)
- Setting up a Listed Building Heritage Partnership Agreement: Advice Note 5 (November 2015)
- Drawing up a Local Listed Building Consent Order: Advice Note 6 (November 2015)
- Local Heritage Listing: Advice Note 7 (May 2016)
- Sustainability Appraisal and Strategic Environmental Assessment: Advice Note 8 (December 2016)
- Historic Environment Good Practice Advice Note 1: The Historic Environment in Local Plans (March 2015);
- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (July 2015); and
- Historic Environment Good Practice Advice Note 3: The Setting of Heritage Assets (March 2015).

Local Planning Policies

Table 1 Historic Environment Policies within Eden Local Plan

Eden Local Plan 2032	
Policy	Objectives of the policy
ENV10 The Historic Environment	<p>The Council will attach great weight to the conservation and enhancement of the historic environment, heritage assets and their setting, which help to make Eden a distinctive place.</p> <p>The Council will require all proposals for development to conserve and where appropriate, enhance the significance of Eden's heritage assets and their setting. The Council will support proposals that would better reveal the significance of the asset, in particular those heritage assets identified as being most at risk. Opportunities for promotion, interpretation and increasing understanding should also be explored.</p> <p>Development proposals that would result in substantial harm to or total loss of significance of a designated heritage asset or its setting will only be permitted where it can be clearly demonstrated that the public benefits of the proposal would outweigh the harm or loss, and that the harm or loss is necessary to achieve those benefits.</p> <p>The Council will require proposals to protect and where appropriate, enhance the significance and setting of Eden's non-designated heritage assets, including buildings, archaeological sites, parks, landscapes and gardens. Where the harm is outweighed by the public benefits of the proposals, the Council will require an appropriate level of survey and recording, the results of which should be deposited with the Cumbria Historic Environment Record.</p> <p>Where a development proposal affecting an archaeological site is acceptable in principle, the Council will ensure preservation of the remains in situ as a preferred solution. Where in situ preservation is not justified, the development will be required to make adequate provision for excavation and recording before or during development.</p> <p>All development proposals affecting the historic environment, heritage assets and their settings (including where there is the potential of unknown archaeological assets) will need to be accompanied by an assessment of the significance of the asset and its setting and how it will be affected by the proposed development.</p>

Eden Local Plan 2032	
Policy	Objectives of the policy
	<p>The level of information required will be proportionate to the significance of the asset and to the scale of impact of the proposal. For archaeological assets, this may where necessary include archaeological desk based assessment and field evaluation.</p> <p>The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>

Neighbourhood Planning Areas

The following parishes within the Eden District are designated as a Neighbourhood Planning Area and can produce their own neighbourhood plan or development orders:

- Alston Moor Parish
- Appleby in Westmorland Parish
- Asby Parish
- Bolton Parish
- Crosby Ravensworth Parish
- Langwathby Parish
- Lazonby Parish
- Matterdale Parish
- Morland Parish
- Penrith Town Council
- Skelton Parish
- Tebay Parish
- Upper Eden

Ainstable Parish and Greystoke Parish have also applied to be designated as a Neighbourhood Planning Area.

The Upper Eden Community Plan Group is an association of 17 parishes: Kirkby Stephen, Brough, Crosby Garrett, Nateby, Ravenstonedale, Soulby, Brough Sowerby, Hartley, Helbeck, Kaber, Mallerstang, Musgrave, Stainmore, Waitby, Wharton and Winton. The group have prepared the Upper Eden Neighbourhood Development Plan 2012-2025 which was approved at a local referendum and adopted as planning policy by Eden District Council in April 2013.

Appendix B - Heritage Asset List Descriptions

Scheduled Monuments

Name	Description	Character area
Kirkoswald Castle moated site	Castle in ruins. Late C15 incorporating earlier buildings for the Dacre family. Large blocks of Penrith red sandstone ashlar on chamfered plinth. Remains of 3 towers and part of the hall, with other foundations below ground level, proved by excavation. 3 storey angle garderobe tower has pointed ground floor entrance and small lancet openings on 2 faces; facing stones have individual mason's marks. Inner wall has various garderobe entrances, one with chamfered lintel. Fragments remain of the adjoining hall walls. One other angle tower stands 2 storeys high with vaulted basement and first floor window, but all facing stone removed above ground level. Vaulted basement of a similar corresponding angle tower remains, but no walls are visible above ground. Encircling moat is early C16 and is complete. Building abandoned in late C16 and demolition began in 1604, with materials taken to Naworth Castle and other stone finding its way into many buildings in Kirkoswald. See, Curwen, Castles and Towers of Cumberland & Westmorland, 1913, p150-153.	1
Medieval moated site W of St Oswald's Church	The monument includes the upstanding and buried remains of Kirkoswald Castle, a class of medieval castle known as an enclosure castle, together with the surrounding moat, the island created by the moat, a stone bridge near the moat's south eastern corner, and an outer bank flanking the northern and western sides of the moat. It is located on slightly rising ground a short distance south east of Kirkoswald village. A timber tower is thought to have been erected here by Ranulph Engaine in the mid-12th century. The first documentary evidence for the castle is a licence to fortify granted to Hugh de Morville in 1201. In 1314 the castle was destroyed by Robert Bruce but had been rebuilt six years later. Towards the end of the 15th century a great hall and chapel had been added and the moat dug by the then owners, the Dacre family. By the end of the 16th century the castle was reportedly in need of repair, however, such work does not appear to have been carried out for in 1604 the owner, Lord William Howard began dismantling the castle. Demolition continued for the next 30 years during which time material from Kirkoswald was sent to another Howard property, Naworth Castle, Lowther Hall, and many of the buildings in Kirkoswald village. The remaining upstanding medieval fabric is of red sandstone and includes the north western corner turret of the north eastern angle tower which still stands almost to its original three storey height and contains architectural features such as doorways and small lancet openings or windows. Small fragments of the adjoining curtain wall, great hall and north east tower also remain above ground. The south eastern angle tower	2

Name	Description	Character area
	<p>survives to first floor level and contains a round-arched doorway, window and vaulted ceiling. Parts of the ground floor of the south western angle tower still survive above ground level but much of the south wall has collapsed outwards into the moat in recent years. Earthwork remains consists of the lower courses of the north eastern angle tower, the great hall with a turret on its northern side, the curtain wall on the castle's east and west sides, and guard chambers flanking a gateway in the west curtain wall. The castle sits on an irregularly-shaped island, the north west corner of which has been made into a separate island by the cutting of an 'L'-shaped ditch to connect with the north and west arms of the moat. The moat remains waterlogged in places, measures 9m-12m wide with traces of stone revetment, and is crossed by a sandstone bridge close to its south eastern corner. The original access across the moat may have been over the west arm where faint traces of a causeway are suggested. Flanking the north and west arms of the moat is an outer bank. This bank varies in width, being approximately 5m wide on the west side, however, it measures up to 17m wide in places on the north side but reduces markedly in both height and width towards the north east corner. Kirkoswald Castle is a Listed Building Grade II. All fence posts and gateposts are excluded from the scheduling, although the ground beneath these features is included.</p>	

Listed Buildings

Property	Grade	Description	Character area
Kirkoswald Castle (remains)	II	<p>Castle is in ruins. Late C15 incorporating earlier buildings for the Dacre family. Large blocks of Penrith red sandstone ashlar on chamfered plinth. Remains of 3 towers and part of the hall, with other foundations below ground level, proved by excavation. 3 storey angle garderobe tower has pointed ground floor entrance and small lancet openings on 2 faces; facing stones have individual mason's marks. Inner wall has various garderobe entrance, one with chamfered lintel. Fragments remain of the adjoining hall walls. One other angle tower stands 2 storeys high with vaulted basement and first floor window, but all facing stone removed above ground level. Vaulted basement of a similar corresponding angle tower remains, but no walls are visible above ground. Encircling moat is early C16 and is complete. Building abandoned in late C16 and demolition began in 1604, with materials taken to Naworth Castle and other stone finding its way into many buildings in Kirkoswald. See, Curwen, Castles and Towers of Cumberland & Westmorland, 1913. p150-153</p>	1

Property	Grade	Description	Character area
Church of St Oswald	II*	Church. Early C12 with late C12 additions, mid C13 and early C16 additions; renovations of 1847 and 1878. Large blocks of red sandstone rubble, green and Welsh slate roofs with coped gables and cross finials; ashlar vestry chimney stack. Nave and chancel with north and south gabled aisles; (detached bell tower is listed separately). North timber-framed gabled porch of c1523, has C19 stone ?fill, incorporating above entrance a reused early C17 stone inscribed ROBERT LOWTHION; porch seat is part of a C16 pew with carved poppy head end boards. Flanking pointed lancet windows, with 2-light mullioned Tudor window to left. North wall has 8 medieval grave slabs leaning and fixed to it. Nave has C19 west window with well down steps below C20 inscription. Blocked south entrance with hollow chamfer and roll mouldings is probably C13; flanking Tudor mullioned windows, that to right of 3 lights is a C19 enlargement. Chancel has tall 3-light mullioned Tudor windows. Interior has 3 bay arcades of round arches with pointed west end arches on carved corbels. C13 chancel arch is on base of C12 arch; flanking niches for statues. Tudor 2-light clerestory windows. Panelled oak roof of 1847. Medieval bowl font and medieval cross fragment built into west window of north aisle. C20 side chapels in both aisles. Chancel has heraldic stained glass to various local families of 1846. Marble wall plaques to members of the Fetherstonhaugh family and fragment of plaque of 1609 to Thomas Brougham. Open timber roof is also C19. Alterations of c1523 were carried out at the expense of Thomas Lord Dacre when the nearby College of Vicars was formed by him.	2
Wall surrounding churchyard of Church of St Oswald	II	Churchyard wall. C18, C19 and early C20. Red sandstone rubble. Low wall with rounded coping stones, inscribed stones set at intervals within the wall giving the initials of those parishioners responsible for building each portion of wall. Listed partly for G.V. with Church.	2
Bell Tower north-east of Church of St Oswald	II*	Bell Tower. Core of 1743 (date on weather vane) with inscription over entrance THIS TOWER WAS REBUILT/1893/IN MEMORY OF/JOHN HENRY RANSOME/VICAR 1877-1892. Coursed red sandstone rubble wall, flat roof not visible. Small square 2-storey tower with angle stair turret. Lower stonework is C18 with C19 rebuilding of upper floor. Plank door in roll moulded surround; 2-light mullioned bell openings have louvred stone vents; battlemented parapet with angle projecting water spouts. Surrounding plinth is of similar materials with steps to entrance, ball finials at angles. 3 inscribed bells, 1619, 1729 and 1892. see, Guide to St Oswalds Church, Kirkoswald, 1974, p16. The only detached church Bell Tower in north Cumbria.	2

Property	Grade	Description	Character area
Gate piers to north of Church of St Oswald	II	Gate piers beside entrance to Church of St Oswald. Probably late C17 as gate piers to The College opposite and moved to present location c1848. Red sandstone ashlar. 2 squared columns with moulded panels with supporting scrolled side brackets; moulded cornice with shaped capping stones.	2
The College	I	House, formerly College of Vicars. Late C15 tower house, extended 1523 for Thomas Lord Dacre (his coat of arms over a now internal door and repositioned panel of arms over fireplace in hall), alterations of c1633-1641 for Sir Timothy Fetherstonhaugh, further additions dated 1696 with initials T.F.(&)B.F. (Timothy & Bridget Fetherstonhaugh) over entrance and additions of 1838-1843 by Timothy Fetherstonhaugh. Dressed and rubble red sandstone walls, (1696 walls partly of stone from Kirkoswald Castle), with ashlar quoins to façade; graduated hipped sandstone slate roof; ashlar ridge chimney stacks to front, with C19 candlestick chimney stacks to rear. 2 storeys, 9 bays to principal façade. Front has recessed central 5 bays, with projecting flanking bays. Double 6-panel doors in moulded architrave, console bracketed cornice. Swan-neck pediment with inscription and Fetherstonhaugh coat of arms. Replacement sash windows with glazing bars in moulded stone architraves; ground floor windows with moulded cornices and upper floor central bays with pulvinated friezes. Principal feature of rear is C15 tower house, centre right, of originally 4 storeys; canted bay windows 3 storeys high have replacement sash windows with glazing bars. Tower of similar proportions (but thinner walls) to left centre is probably C16, 3.5 storeys; ground floor 2-light mullioned window, high round-headed attic opening, all other windows are sashes with glazing bars. Extension to right of 1.5 storeys, 3 bays is dated MDCCCXLII; mullioned casement windows with hood moulds to ground floor; gabled dormer windows (below eaves). C19 extension to left of 3 bays, was originally single storey increased to 2 storeys in mid or late C19; sash windows with glazing bars and hood moulds. Interior has mid C17 wooden panelled room, with other mid C17 woodwork. 1696 staircase, large newel staircase in tower. 1696 wood and plaster ceiling in hall with heraldic devices. Originally the Vicarage for Kirkoswald Church and converted to College of Vicars c1523; lands reverted to Crown in 1548 and let to various tenants until purchased by Henry Fetherstonhaugh in 1590; remained in the same family ever since. See, Country Life, 17 November 1928, p700-707; Transactions Cumberland & Westmorland Antiquarian Archaeological Society, new series, xiv, p196-234.	3

Property	Grade	Description	Character area
The College Flat, south of The College	II	Flat above storerooms, formerly part of College of Vicars. Early C16 with alterations of 1699 and mid C19. Random red sandstone rubble walls, graduated green slate roof, tall C19 ashlar candlestick chimney stacks. 2 storeys, 5 bays. Ground floor C19 2-pane double sash windows and 2 smaller C20 windows. Upper floor C20 door in chamfered surround is reached by C19 external stone steps. Upper floor 2 single-light windows with chamfered surround and similar former 2-light mullioned window, mullion removed; window to right is C20 enlargement. Rear wall has cross mullioned windows of 1699, altered to match the façade of The College of 1696. Side wall left, nearest The College, has Tudor style entrance with hood mould and initials T.F. (Timothy Fetherstonhaugh), corresponding with doorway beside the house dated 1839. Listed partly for G.V. with The College.	3
Stable block south of The College	II	Stable block for The College. Early C19 for Fetherstonhaugh family. Coursed red sandstone rubble walls, red sandstone and Welsh slate roofs with crow stepped gables. 2 storeys of numerous bays, enclosing stable yard on 3 sides. Central block has large round arched entrance; flanking wings have C20 sliding garage doors, plank loft doors and slit vents, open bays to left wing. Listed partly for G.V. with The College.	3
Stable block south of The College	II	Stable block for The College. Early C19 for Fetherstonhaugh family. Coursed red sandstone rubble walls, red sandstone and Welsh slate roofs with crow stepped gables. 2 storeys of numerous bays, enclosing stable yard on 3 sides. Central block has large round arched entrance; flanking wings have C20 sliding garage doors, plank loft doors and slit vents, open bays to left wing. Listed partly for G.V. with The College	3
Entrance gateway south-east of The College	II	Entrance to The College. 1848 for T. Fetherstonhaugh. Red sandstone rubble with ashlar dressings. Pointed carriage arch with roll moulding and chamfered architrave, similar small pedestrian arch to left side; stepped parapet above arch with battlemented wall imitating tower to left and corresponding octagonal column to right with square cap and plinth. Railed wooden gates. Listed partly for G.V. with The College.	3
Terrace wall and steps west of The College	II	Terrace wall and steps in garden of The College. Probably late C17. Random red sandstone rubble wall with moulded coping, ashlar steps with closed balusters, 2 square piers, one surmounted by brass sundial with Latin inscription TRANSIT HORA SINE MORA. Retaining wall for terrace, for full length of the rear of the house. Included partly for G.V. with The College.	3

Property	Grade	Description	Character area
Manor House	II	House. Dated 1703 over entrance, with C19 alterations. Random rubble red sandstone walls with raised quoins and sub cornice; sandstone slate roof, end stone chimney stacks. 2 storeys, 5 bays. 6-panel top glazed door in moulded architrave, dated pulvinated and shaped frieze with projecting cornice. Original sash windows with glazing bars in moulded architraves; 3 upper floor windows are now blocked and painted as false windows; narrow fire window to right. Lower window right and end windows left are C19 double 2-pane sashes.	4
Anne Dale and Bridge Stores	II	House and shop, formerly 2 houses. House dated 1713 with initials I.S. over entrance; shop is early C19. House has incised painted stucco walls, sandstone slate roof, C20 rebuilt stone and brick chimney stacks; shop has red sandstone coursed rubble with ashlar quoins, Welsh slate roof, end stone chimney stacks. 2 storeys, 2 bays each, shop adjoins and projects to right of house. House has C20 door in plain painted stone surround. Single-pane sash windows in plain painted stone surrounds. C20 door and upper floor window to extreme right. Shop has C20 door in plain chamfered stone surround. Early C19 bow shop window with glazing bars in moulded wooden surround. Upper floor casement windows in plain stone surrounds. Listed partly for G.V. with Manor House.	4
Demense Farmhouse	II*	Farmhouse. Dated 1622, with incipion THOMAS BARTRAM (and) BENET BARTRAM F (ecerunt)/DEVS VVLT (made this house; God wills it), over entrance; late C17 additions and later alterations to original house. Large blocks of red sandstone rubble, probably from the nearby Kirkoswald Castle; extension of incised stucco walls on painted stone plinth with raised painted stone quoins and dressings; graduated green slate roof, C19 rebuilt stone chimney stacks. Original house, 3 storeys, 3 bays. Blocked central entrance has roll moulded architrave, dated and inscribed lintel. Flanking enlarged C19 2-pane sash windows, small original fire window to right is blocked. 1st floor Yorkshire windows with glazing bars, central top floor window blocked, probably replacing mullioned windows. Extension at right angles, forming T-shape; 2 storeys with cellar, 5 bays. Top glazed 4-panel door in moulded architrave with cornice, broken segmental pediment. Flanking steps in 2 flights to entrance. Flat cross-mullioned windows in moulded architraves. Small square cellar windows in end wall right. C19 extension and farm buildings are not included in listing.	4

Property	Grade	Description	Character area
High College	II	House. Early C18 for the Fetherstonhaugh family of The College (hence the name). Random red sandstone rubble walls, graduated sandstone slate roof, end and ridge stone chimney stacks. 2 storeys, 4 bays. Top-glazed 6-panel door in plain chamfered stone surround. Flanking double sash windows with glazing bars have chamfered stone mullions. Upper floor sash windows with glazing bars in hollow-chamfered surround. Interior has panelled doors throughout; late C18 staircase has oak treads with turned balusters. Formerly the Doctor's house and retains its red lamp on west end wall.	5
Featherstone Arms Hotel	II	Private Hotel. Dated 1826 with the initials C.S.F. (Featherstonhaugh) over side archway. Course calciferous sandstone, raised ashlar quoins with V-joints; graduated hipped slate roof, ashlar chimney stacks. 2 storeys, 3 bays and single bay former shop under common roof. 4-panel door with painted-over radial fanlight in pilastered surround. Large flanking sash windows with glazing bars, smaller sashes with glazing bars above, all with plain raised stone surrounds. Arched carriage entrance to left side has round arch and oval datestone. Former shop to right has C20 door to right, sash window with glazing bars above, large C19 shop window to left, with glazing bars and wooden surround. Bench marked quoin to right corner.	5
Black Bull and adjoining house (formerly listed as The Black Bull Inn)	II	Public House and manager's house. Mid C18. Painted incised stucco walls, Welsh slate roof with bottom course of red sandstone slate; stone chimney stacks. Pub of 2 storeys, 3 bays; house of 2 bays under common roof. Pub left has C20 door in plain painted stone surround. Flanking tripartite sash windows, sash windows above all with glazing bars and painted stone surrounds. House has plank door in plain painted stone surround. Sash window right with glazing bars, all other windows 2-pane sashes with plain painted stone surrounds.	5
Nos 1 and 2 Wordsley House	II	2 flats, formerly house. Early C19. Red sandstone ashlar on chamfered plinth and raised quoins with V-shaped joints. 2 storeys, 3 bays. Top glazed 6-panel door in moulded architrave with pulvinated frieze and projecting moulded cornice; flanking flights of stone steps to entrance. Ground floor double sash windows with glazing bars in raised stone surrounds; similar upper floor windows are 2-pane sashes. Included partly for G.V. with George House.	5

Property	Grade	Description	Character area
George House	II	House, formerly George Hotel. Late C18. Incised painted stucco on chamfered painted stone plinth, raised quoins with V-shaped joints to projection; slate roof with sandstone slates to projection, stucco end chimney stacks. 3 storeys, 2 bays; 2-storey, single-bay extension projects to left. 6-panel door in plain painted stone surround with semicircular flush pediment. Flanking double sash windows with glazing bars, in plain painted stone surround. Upper floor sash windows with glazing bars in plain painted stone surrounds.	5
Midland Bank	II	Bank. Late C19. Coursed red sandstone rubble on chamfered plinth with snecked quoins and moulded sub cornice; hipped slate roof has projecting eaves with shaped wooden eaves modillions, large central chimney stack. 3 storeys, single bay façade, 2 bays to side. 2 entrances have 4-panel doors in pilaster strip surrounds, flanking a 3-pane large bank window. Double sash windows above in pilaster surrounds with segmental heads, false keystones and hood mould. Listed partly for G.V. with George House.	5
Crown Hotel	II	Hotel. Late C18. Incised painted stucco walls, raised quoins with V-shaped joints; graduated slate roof, end stone chimney stacks. 3 storeys, 2 bays. C20 double plank door in V-shaped joint surround. Double sash windows with glazing bars in plain painted stone surrounds.	5
Mill House	II	House, probably originally the miller's house for the adjoining mill. Early C19. Coursed red sandstone rubble walls, sandstone slate roof, end stone chimney stacks. 2 storeys, 4 bays in L-shape. C20 door in plain painted stone surround. 3-pane sash windows in plain painted stone surrounds.	5
The Old Mill	II	Former water corn mill. Early C19. Coursed red and yellow sandstone rubble, with quarry faced dressings; hipped Welsh slate roof. 2.5 storeys, 5 bays; 3 storeys to rear. Large round-arched crt entrance and smaller entrance to right, both with plank doors. Casement windows with glazing bars have quarry faced surrounds. 2 gabled dormer windows (above eaves) are half boarded. Large iron overshot wheel to left side is in working order and interior has some of its C19 machinery.	5

Property	Grade	Description	Character area
Post Office	II	House and Post Office. Early C18. Incised stucco walls, on chamfered plinth with pilastered quoins; red sandstone slate roof, ashlar chimney stacks on stucco bases. 2 storeys, 5 bays. 4-panel top glazed C19 door and fanlight, in pilastered surround and prostyle porch with flat roof on square pilastered columns. 2-pane double sash windows to ground floor, sash windows with glazing bars above, all with plain painted stone surrounds.	5
Village Stocks, west side of War Memorial	II	Village stocks. Probably early C18. Penrith red sandstone, with iron hook set in lead. Long narrow slab set into the cobbles of the market place, hollowed at top to take 2 pairs of legs. Central hook, bent flat, held 2 iron leg clamps, which could be individually locked at either side on iron locking pins (holes remain). Similar stocks at Gamblesby, Glassonby C.P. retains its ironwork.	5
Nos 1, 3 & 4 The Square	II	3 houses, originally 5 houses. No.1 has date 1757 with initials J.&)B.S. over entrance, other houses are late C18. Rendered walls; No.1 with raised V-jointed quoins; sandstone slate roofs, rendered chimney stacks. 2 storeys, 2 bays; No. 3 of 4 bays. C20 doors in plain painted stone surrounds. 2-pane sash windows with glazing bars in plain painted stone surrounds. Listed partly for G.V. with the adjoining Crown Hotel.	5
K6 Telephone Kiosk	II	KIRKOSWALD THE SQUARE K6 Telephone kiosk GV II Telephone kiosk. Type K6. Designed 1935 by Sir Giles Gilbert Scott. Made by various contractors. Cast iron. Square kiosk with domed roof. Unperforated crowns to top panels and margin glazing to windows and door.	5
Eden Bank and outbuilding	II	House and outbuilding. Mid C18 with C19 alterations. Red sandstone rubble walls with flush quoins; graduated Welsh slate roof, rebuilt end chimney stacks. 2 storeys, 3 bays, with 2-storey, 2-bay outbuilding to left. Top-glazed 6-panel door in C19 plain stone surround with moulded cornice. Sash windows with glazing bars, lower sash on ground floor 2-paned, all in plain C19 surrounds. Outbuilding under common roof, has C20 panelled door in plain stone surround. 2-pane sash window on ground floor, sash window with glazing bars above, both in C19 surrounds. C20 double garage doors to left with slit vents above.	6
Hill House	II	House. Probably late C18. Incised stucco walls and plinth with raised V-shaped quoins; graduated green slate roof with kneelers to rear, ashlar end chimney stacks. 2 storeys, 3 bays. C20 door in moulded stone architrave. Double sash windows with glazing bars in plain painted stucco surrounds; sash window with glazing bars in similar surround above entrance.	6

Appendix C - Guidance notes

1. Listed Buildings: A guide for owners and occupiers
2. Conservation Areas: A guide for owners and occupiers
3. A Summary of Permitted Development Rights
4. Replacement Windows and Doors Guidance Note

What are listed buildings?

The Department for Digital, Culture, Media and Sport, on the advice of the Historic Buildings and Monuments Commission for England (Historic England) compiles and maintains a statutory list of buildings which are considered to be of special architectural or historic interest. Any building on this list is known as a "listed building".

There are approximately 500,000 listed buildings in England. The Council holds copies of the lists for Eden District, parish by parish.

Houses are the most common type of listed buildings, but listed buildings can include anything from a barn to a cathedral, or a milestone to a telephone kiosk.

Why are buildings listed?

Buildings are selected for listing for a variety of reasons: antiquity, rarity, historic interest, architectural style, craftsmanship, or their value as part of a group of buildings such as a terrace or square.

Once included in the list, buildings are protected by legislation controlling their demolition or alteration. The purpose of listing buildings is to protect them as a part of our national heritage, by enabling careful control to be exercised over any alterations. Listing is not intended as a means of preventing alteration altogether.

- All buildings constructed before 1700 which survive in anything like their original condition are listed, as are most buildings from 1700 to 1840.
- With buildings from 1840 to 1914, more

selection is necessary as larger numbers of buildings were erected and still survive. Buildings of definite quality or character, good examples of their type and works of the principal architects are likely to be chosen.

- With buildings constructed since 1914, a similar but more rigorous selection procedure applies, often on a themed basis.
- Buildings of between ten and thirty years old are normally only listed if they are of outstanding quality and are under threat.

What do the grades mean?

Grade I Buildings of exceptional national interest - approximately 2% of all listed buildings.

Grade II* Particularly important buildings of more than special interest - 4%.

Grade II Buildings of special interest - 94%.

What effect does listing have?

When a building is listed, regardless of its grade, it is the **whole** of the building that is listed, including its internal and external features and any object or structure fixed to the main building.

The listing will usually include any garden walls or outbuildings within the curtilage of the main building.

The description of the building in the list has no legal significance and is intended primarily for identification purposes. It should not be treated as a comprehensive or exclusive record of all the features which are considered to make a building worthy of listing, or of the features protected. Any works for the demolition, alteration or extension of a

listed building which would affect its character, require **listed building consent**. Consent is not normally required for repair work or like for like replacement.

Examples of external works requiring consent:

- replacement of windows and doors with ones of different design, type or materials (eg replacement of timber with plastic).
- changing of roofing materials (eg replacement of natural slate with concrete tile).
- constructing extensions or creating new openings.
- cladding, rendering and in some circumstances painting or re-painting.
- altering or removing chimneys.

Examples of internal works requiring consent:

- removal or alteration of fireplaces, panelling, doors, staircases, etc.
- construction, removal or alteration of internal walls.
- satellite dishes.

It is a **criminal offence** to demolish, alter or extend a listed building without listed building consent. To do this could lead to imprisonment or a substantial fine.

Other forms of consent

Planning permission and/or building regulation approval may also be required for part or all of the work. The normal **permitted development** rights which enable certain alterations to be carried out and extensions and curtilage buildings erected, without the need to obtain planning permission, are significantly reduced in respect of listed buildings.

Repairs

The owner of a listed building is responsible for ensuring that it is maintained in good order. In cases of neglect, the Local Planning Authority can take action against owners requiring them to carry out repairs. Failure to do so can result in the compulsory acquisition of the building.

Grants for heritage at risk may be available for the repair and conservation of listed buildings, scheduled monuments and registered parks and gardens from Historic England.

For further information visit their website:
www.historicengland.org.uk/listing

Legislation and Policies

The Local Planning Authority holds copies of the relevant legislation and government advice affecting listed buildings, which may be viewed at Mansion House or purchased from www.legislation.gov.uk. Copies of the Local Planning Authority's policy documents can be viewed at or purchased from the Department of Communities. This leaflet contains only a brief summary of the regulations affecting listed buildings. If you need advice, please contact Development Management.

Contacts

For general advice on matters relating to listed buildings, advice on the need for consent, or to discuss the merits of any particular proposal, please contact:

Eden District Council
Development Management
Department of Communities
Mansion House
Penrith
Cumbria CA11 7YG

Email: planning.services@eden.gov.uk

Telephone: 01768 817817

Planning Duty Officer:

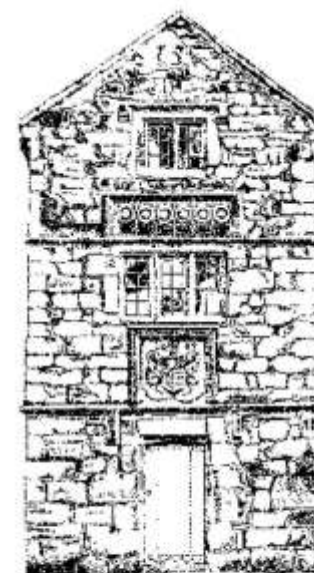
Telephone: 01768 817817 (Available from 10am to 1pm, Monday to Friday)

Website:

www.eden.gov.uk/planning-and-building/conservation/listed-buildings/

Listed Buildings

A guide for owners and occupiers



Eden
District Council

Designed by the Department of Communities
Eden District Council - updated January 2018

What are conservation areas?

Eden District Council, as the Local Planning Authority, may designate conservation areas covering parts of the District which it considers to be **"areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance"**.

These areas may vary in size and character, from a town centre or whole village to a single street. They are designated because of their historic street pattern, architectural character or general historic interest. The street pattern, buildings, relationships of buildings to each other, open spaces, trees and walls all contribute to their particular character and appearance.

What are the effects of designation?

Conservation area status helps give an area added protection from poor quality or inappropriate development. It enables a greater degree of control to be exercised over new buildings and extensions. It introduces control over the demolition of some buildings, walls and work to certain trees. It also provides an opportunity for the enhancement of the area through positive schemes of enhancement and improvement.

The Local Planning Authority is required to publicise any planning applications which are considered likely to affect the character of a conservation area, allowing interested people an opportunity to comment and thus participate in the planning and development of the area.

What needs consent?

- In conservation areas, the normal "permitted development" rights which enable certain extensions and alterations to be carried out without the need to obtain planning permission are reduced, thereby bringing more development under planning control.
- **Conservation Area Consent** is required for the demolition of certain buildings, walls and other means of enclosure.
- Six weeks notice in writing must be given to the Local Planning Authority of any intention to cut down, top, lop or up-root any tree and work must not be carried out within this period without permission. This procedure does not apply to trees below a certain size or trees which are dangerous.

If you need advice as to whether any form of consent is required, please contact staff in the Development Management section of the Department of Communities who will be pleased to assist.

For further advice about replacement windows and doors, please see the leaflet entitled: "Guidance Note - Replacement Windows and Doors".

For further advice about trees in Conservation Areas, please see the website: www.eden.gov.uk/planning-and-building/trees/trees-in-conservation-areas/ or contact the Council's Arboriculturist.

How are applications considered?

In assessing applications for development in conservation areas, the Local Planning Authority will, in addition to all the normal planning considerations, bear in mind the desirability of preserving and enhancing the conservation area. High quality design and materials will be expected for new development, and in many instances outline planning permission will not be granted without some or all of the details of the proposed development being submitted.



Extensions to existing buildings should, in their design, height, roof pitch, alignment and materials, be in keeping with the existing building. New buildings should be designed and sited to fit in with their immediate surroundings and the character of the area. Favourable consideration may also be given to innovative schemes of high quality in appropriate locations which meet the objectives of conservation area designation.

Conservation does not simply involve preservation. The long term protection and enhancement of a conservation area is dependent on its continued prosperity and the pride and goodwill of its residents, as well as the effective control of development.

Further controls

The Local Planning Authority can remove categories of permitted development rights by way of an "Article 4 Direction" if the character or appearance of a conservation area is being damaged or threatened by the exercise of these rights. Residents would be notified of such a direction if subsequently brought into force. The designation of a conservation area does not affect any other controls which already apply. For example, if your property is a listed building you will still require listed building consent to demolish, alter or extend your property.



Legislation and policies

The Local Planning Authority holds copies of all the relevant legislation and government advice affecting conservation areas, which may be viewed at Mansion House and is available at www.legislation.gov.uk. Copies of the Local Planning Authority's policy documents can also be viewed at or purchased from the Department of Communities. This leaflet contains only a brief summary of the purposes of and regulations affecting conservation areas.

Contacts

For advice on the need for consent or to discuss the merits of any particular proposal please contact:

Eden District Council
Development Management
Department of Communities
Mansion House
Penrith
Cumbria CA11 7YG

Email: planning.services@eden.gov.uk

Telephone: 01768 817817

Planning Duty Officer:

Telephone: 01768 817817 (Available between 10am and 1pm, Monday to Friday)

For advice on trees in conservation areas please contact the Arboriculturist at:

Eden District Council
Development Management
Department of Communities
Mansion House
Penrith
Cumbria CA11 7YG

Email: trees@eden.gov.uk

Telephone: 01768 212159

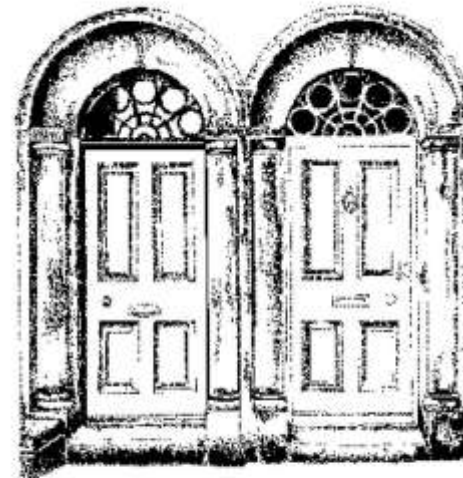
Website:

www.eden.gov.uk/planning-and-building/conservation/conservation-areas/

Designed by the Department of Communities
Eden District Council - updated April 2015

Conservation Areas

A guide for owners and occupiers



Eden
District Council

Local Planning Authority contacts

Eden District Council Website
address: www.eden.gov.uk

Main tel. number: (01768) 817817
Email:
Customerservices@eden.gov.uk

For further advice on the need for consent or application forms, please contact:

Eden District Council
Development Management
Mansion House
Penrith, Cumbria, CA11 7YG
e-mail:
planning.services@eden.gov.uk

Development Management
North Team
Direct Dial on (01768) 212362

Development Management South
Team
Direct Dial on (01768) 212329

Building Control
Building Control Manager
Direct Dial (01768) 212342
Principal Building Control Surveyor
Direct Dial (01768) 212373
Email: building.control@eden.gov.uk

For general advice on historic buildings please contact the Conservation Officer at:

Eden District Council
Communities
Planning Policy Section
Mansion House, Friargate,
Penrith, Cumbria, CA11 7YG
e-mail: loc.plan@eden.gov.uk
Direct Dial on (01768) 212317

Other useful addresses

Historic England
www.historicengland.org.uk

Glass and Glazing Federation
Website: www.ggf.org.uk
40 Rushworth Street, London, SE1
ORB

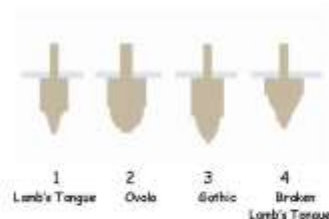
The following organisations publish guidance on period detailing for historic properties:-

The Society for the Protection of
Ancient Buildings
www.spab.org.uk
37 Spital Square, London,
E1 6DY

The Georgian Group
www.georgiangroup.org.uk
6 Fitzroy Square, London
W1T 5DX
Tel 020 7529 8920

The Victorian Society
www.victorian.society.org.uk
1 Priory Gardens, Bedford Park,
London, W4 1TT

Examples of glazing bar profiles

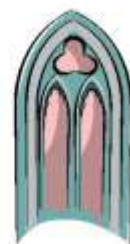


Designed and published by the Department of
Policy & Performance - EDC July 2006



Guidance Note:

Replacement Windows & Doors



1 Introduction

This leaflet is intended to offer advice on the need for permissions from this Council should you wish to alter or replace your windows or doors. You may require more than one form of consent. It is also intended to offer basic practical advice on carrying out such works and to provide a useful list of contacts should you need to speak to us.

Remember, replacement windows and doors may not always be necessary. Few alterations harm the character and appearance of property as much as insensitive changes to windows and doors, which in themselves may reduce the value of the property. Careful repair, if possible, should always be considered, especially where historic details or quality materials survive. Original windows and doors in period buildings are always attractive to buyers.

2. Do I need planning permission to replace my windows and doors?

You **will not** require planning permission if the windows and doors are to be replaced like-for-like, i.e. with windows and doors of precisely the same design, materials and method of opening. You will also **not** require planning permission to alter your windows, if:

Your property is a single 'dwellinghouse' providing that:

- a) It has not had its permitted development rights removed by a condition attached to an earlier planning permission. Such a condition may have been attached to a planning permission for a barn conversion or a high density development where there could be overlooking; and

- b) It is not affected by an Article 4 Direction which restricts permitted development rights. These are usually associated with a conservation area, such as that in Alston.

- Please contact the local planning authority if you require clarification.

You **will** need planning permission to alter your windows and doors if:

- The property is a flat; (a separate self-contained set of premises constructed or adapted for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally.)
- The property is a business premises.

3. Do I need listed building consent to replace my windows and doors?

Listed building consent will almost always be required to alter windows or doors on a listed building. It will always be required for the insertion of double-glazed sealed units. Listed building consent will not normally be required to repair windows or doors, or, if they are beyond repair, to replace them with identical replacements i.e. windows or doors of precisely the same design, glazing bar width and profile, materials, finish and method of opening etc.

It is important to be aware that the alteration of a listed building without the necessary consent is a **criminal offence**.



Should you require listed building consent application forms, or if you are unsure whether your property is listed, you should contact the local planning authority who will be able to advise you further. In formulating any proposals in respect of listed buildings you should have regard to the following points:

- If windows and doors are capable of repair, this should be the preferred option. Historic windows and doors are of considerable aesthetic and historic value. If they have lasted to the present day they are usually of exceptional quality or craftsmanship. Unnecessary destruction of historic fabric is not sustainable;
- Matching materials should always be used for repairs or if necessary, replacement;

Examples of door designs to avoid, particularly in traditional properties



Examples of window designs to avoid, particularly in traditional properties



- The use of uPVC is almost always unacceptable;
- Double-glazing or factory-made standard windows are rarely acceptable; draught proofing or secondary glazing may be better options; (These may or may not require listed building consent.)
- Where replacement is necessary, existing architectural detailing should normally be followed, including glazing bar profiles for windows, panelling details for doors etc. Where alterations are proposed and consent is necessary, then full details of the design of the new units is essential.

Modest grant assistance through the Council's Historic Building Repair Grant Scheme may be available for the repair or, if necessary, like-for-like replacement of historic windows and doors in listed buildings. Buildings purchased within the last two years and buildings within the Lake District National Park are not eligible under this Scheme.

The Council also has available a free guidance leaflet for the owners and occupiers of listed buildings which outlines the purpose and effects of listing. This is also available on the Council's website.

4. Do I need building regulations approval to replace my windows and doors?

From April 2002, all replacement glazing came within the scope of the Building Regulations. Anyone who now installs replacement windows or doors will have to comply with strict thermal performance standards set down by central government. Special provisions exist for **historic buildings** where the building's character also needs to be protected. Alternative ways of improving energy efficiency and/or less strict applications of the thermal performance standards will be considered.

In this context and within Eden District, **historic buildings** are presently defined as:

- Listed buildings; or
- Buildings situated in conservation areas; or
- Buildings within the North Pennines Area of Outstanding Natural Beauty (AONB) and the Lake District National Park.

In order that Councils are not inundated with applications for approval, a scheme known as **FENSA** (Fenestration Self-Assessment) has been established. Set up by the Glass and Glazing

Federation, FENSA meets with central Government approval. A sample of the work of every installer will be inspected by FENSA appointed inspectors to ensure standards are maintained.



FENSA will also inform local authorities of all completed FENSA installations and issue certificates to householders confirming compliance.

If you come to sell your property, your purchaser's surveyors will ask for evidence that any replacement glazing installed after April 2002 complies with the new Building Regulations. There will be two ways to prove compliance:

- a) A certificate showing that the new work has been done by an installer who is registered under the FENSA Scheme, or
- b) A certificate from the local authority saying that the installation has approval under the Building Regulations.

Any installation done by a firm that is not registered to self-certify, or done as a DIY project, will need Building Regulations Approval. The Council knows of the approved installers in its area and will be able to identify unauthorised work very easily. You should note that you, as the house owner, are ultimately responsible for ensuring that the work complies with the Building Regulations.

Before you sign a contract to buy replacement glazing make sure to ask whether the installer is able to self-certify. If not, either they, or you, will need to make an application to the Council for approval under the Building Regulations.

Guidance on the technical aspects of replacement windows is available from the Council's Building Control section or via the website.

You **must** also ensure that any planning permission or listed building consent needed has been obtained. Compliance with the building regulations does not override the need for planning permission or listed building consent, nor does it imply that such consent(s) would be forthcoming.

Checklist: Do I require?

- ☐ planning permission
- ☐ listed building consent
- ☐ building regulations approval



Examples of modern window designs which may be appropriate in unlisted traditional properties, if carefully detailed



Examples of period doors



5. Design and detailing of windows and doors.

Whether or not any form of consent is needed, before you consider replacing your windows or doors, often at considerable expense, you may find the following points useful, particularly if your property is a traditional building:

- Do my windows or doors actually need replacing or would it be more cost effective and sustainable to repair them?
- How long will it take for any savings in my heating costs to pay for the cost of the units and how long will the new units last? How long will it take for the energy cost of their manufacture and installation and the disposal of my existing windows and doors to be offset by energy savings in heating?
- How old are my existing windows or doors? Are they of historic value? Should they be viewed as antiques? Do they add value to my house? Quality historic timber windows and doors can survive for hundreds of years and often outlast modern replacements.

If my windows or doors do need replacing:-

- Does the design of my windows and doors reflect the age and

character of my house, and if so, how can I try to protect this and the value of my property whilst improving energy efficiency?

- Do my windows or doors match those of adjoining or adjacent properties and if so how can I ensure my new windows or doors do not devalue my property or those in the area generally?



For historic buildings where planning permission and/or listed building consent is not required:-

Try to replicate the existing windows and doors as closely as possible. Adding fake heritage features such as leading to windows where this is not original may devalue your property. The loss of elegant traditional features such as Georgian sash windows or panelled doors will devalue your property. (Remember for listed buildings, the repair of the existing or identical replacements will almost always be required.)

If the existing windows are sashes, try to use sliding replacements. These are available as sealed double-glazed units in timber or uPVC.

If glazing bars (astragals) are proposed, how are these to be designed? These may have to be a certain thickness to hold sealed double-glazed units. Will these be too chunky or cut down light? This can be minimised by careful design of the glazing bars and beading, or sometimes by applying the glazing bars externally. False glazing bars sandwiched between panes of glass will not be an effective design solution and is likely to devalue your property.

Consider how the glass will be held in – as traditionally by putty, or by glazing beads, and how will these be designed? Glazing beads can be designed to hold double-glazing without standing proud of the frame or being overly chunky.

Are trickle vents to be incorporated? These can spoil the appearance of otherwise well designed windows.

If your property is situated at the back of a footpath, your windows will not be allowed to open outwards over it, as this will be dangerous to passers by. Vertical or horizontal sliding sashes are a good solution here.

If a new panelled door is proposed, authentic panels with appropriate mouldings (as opposed to beading stuck on a flush door to create the illusion of a panel) will look far better.

Timber doors will always look better on traditional buildings and add quality to the appearance and character of your property. They also can be attractively painted or repainted when you feel like a change.

Examples of period windows



16 century Tudor window



16 & early 17 century

- stone mullioned
- diamond leaded fixed lights



Many 16 and 17 century formerly leaded or unglazed windows have now been replaced with timber windows



Early 18 century horizontal-sliding sash or 'Yorkshire Lights', often found in cottages



Early 18th century 12-paned Georgian sash - without horns



Mid to late 19 century Victorian sash 4-paned with horns



Late 18 early 19 century 16-paned Georgian sash - without horns



Late 19/early 20 century sash

Permitted Development Rights

Introduction

Permitted development rights allow householders to improve and extend their homes without the need to apply for planning permission. Householder permitted development rights are set out in the ***Town and Country Planning (General Permitted Development) (England) Order 2015 ("the Order") as amended***. Schedule 2, Part 1 of the Order covers various types of development and what is acceptable under permitted development. This is outlined in the following sections.

Permitted development rights **do not apply to Listed Buildings** so if your house is designated you will need to apply for listed building consent to undertake works classed as a demolition, alteration or extension of the building.

They also do not apply to houses created through the permitted development rights to **change use** from, for example shops and agricultural buildings (Part 3 of Schedule 2 to the Order); or **do not apply to any houses which are flats**. In these cases planning permission should be sought.

Permitted development rights do not remove requirements for permissions or consents under other regimes such as the building regulations and the Party Wall Act.

If your house is on land within a National Park, Area of Outstanding Natural Beauty, Conservation Area, and/ or a World Heritage Site there may be some additional rules to be met for a development to fall under permitted development rights.

It is important to note that a local planning authority is allowed to remove permitted development rights in some or all of its area by issuing what is known as an **Article 4 Direction**; or may have removed those rights on the original, or any subsequent, planning permission for the house. Where permitted development rights have been removed in either of these ways a planning application will be needed for development.

Where there is any doubt as to whether a development would be permitted development, advice should be sought from the local planning authority.

Class A Extensions and alterations (including new windows and doors)

1. Development is **not** permitted by Class A if:
 - The proposed extension and other buildings (any existing extensions to the original house) exceed 50% of the curtilage of the existing house.
 - The proposed extension to a house exceeds the height of the highest part of the roof of the existing house (not including chimneys).
 - The height of the eaves of the extension exceeds the height of the eaves of the existing house (the point where the lowest point of a roof slope meets the outside wall).

- The extension would extend beyond a wall which
 - a) forms the principal elevation of the house (generally the front), or
 - b) an elevation that fronts a highway.
 - It is a single storey rear extension that extends by more than 3 metres in depth or exceeds 4 metres in height (4 metres depth by 4 metres height for detached houses).
 - It is an extension to the rear of the house that is more than a single storey and extends by more than 3 metres in depth from the house, and is located within 7 metres of any boundary treatment to the rear of the house.
 - The proposed extension is within 2 metres of the boundary treatments to the side/ front of the house.
 - It is an extension to the side of a house which
 - a) exceeds 4 metres in height,
 - b) has more than one storey, or
 - c) is greater in width than half the width of the original house.
 - The extension includes:
 - a) the construction of a verandah, balcony or raised platform;
 - b) the installation, alteration or replacement of a microwave antenna;
 - c) installation, alteration or replacement of a chimney, flue or soil and vent pipe; and
 - d) an alteration to any part of the roof of the house.
2. In the case of a house on article 2(3) land – National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, and World Heritage Sites – development is not permitted by Class A if:
- It includes the cladding of any part of the exterior of the house with stone, pebble dash, render, timber, plastic or tiles
 - The extension extends beyond the side elevation wall of the house
 - The extension is more than one single storey and extends beyond the rear wall of the house
3. Development that meets the above rules is permitted by Class A subject to the following conditions:
- The materials shall be of a similar appearance to those used in the construction of the exterior of the existing house;
 - Any upper floor window in the wall or roof slope of a side elevation of the house shall be a) obscure-glazed and b) non-opening;
 - The roof pitch of the extension must, so far as practicable, be the same as the roof pitch of the original house.

Class B Additions or alterations to roofs such as loft conversions

1. Development is not permitted by Class B if:
 - any part of the house would, as a result of the works, exceed the highest part of the existing roof

- any part of the house would, as a result of the works, extend beyond any existing roof slope forming the principal elevation of the house and roof slope which fronts a highway
 - the cubic content of the resultant roof space would exceed the cubic content of the original roof space by more than 40 cubic metres for a terrace house or 50 cubic metres in any other case
 - the development includes
 - a) the construction or provision of a verandah, balcony or raised platform
 - b) the installation, alteration or replacement of a chimney, flue or soil and vent pipe
 - the house is on article 2(3) land – National Parks, Areas of Outstanding Natural Beauty, Conservation Areas, and World Heritage Sites
2. Development that meets the above rules is permitted by Class B subject to the following conditions:
- The materials shall be of a similar appearance to those used in the construction of the exterior of the existing house.
 - The enlargement shall be constructed so that
 - a) the eaves of the original roof are maintained or reinstated
 - b) the edge of the extension closest to the eaves of the original roof shall be no less than 0.2 metres from the eaves
 - Any upper floor window in the wall or roof slope of a side elevation of the house shall be a) obscure-glazed and b) non-opening

Class C Roof coverings and the installation of roof lights/ windows

1. Development is not permitted by Class C if:
- the alteration (for example a roof light) would protrude more than 150mm beyond the plane of the original roof slope
 - the highest part of the alteration is higher than the highest part of the original roof
 - It includes:
 - a) the installation, alteration or replacement of a chimney, flue or soil and vent pipe
 - b) the installation, alteration or replacement of solar photovoltaics or solar thermal equipment
2. Development is permitted by Class C subject to the condition that any upper floor window in the wall or roof slope of a side elevation of the house shall be a) obscure-glazed and b) non-opening.

Class D Porches

1. Development is not permitted by Class D if:
- the ground area of the structure would exceed 3 square metres

- the structure would be more than 3 metres high
- the structure would be within 2 metres of any boundary of the house with a highway

Class E Other ancillary buildings e.g. garden sheds

Class E covers the provision of buildings and other development within the curtilage of the house including: swimming pools; a container for the storage of oil or liquid petroleum gas for heating; the keeping of poultry, pets, birds etc; and garden sheds.

1. Development is **not** permitted by Class E if:
 - the total area of ground covered by buildings, enclosures and containers within the curtilage would exceed 50% of the total area of the curtilage
 - the building/development would be situated on land forward of the principal elevation of the house
 - the building is more than a single storey in height
 - the height of the building, enclosure or container would exceed
 - a) 4 metres (if building with a dual pitched roof)
 - b) 2.5 metres (if within 2 metres of the boundary of the house) or
 - c) 3 metres in any other case
 - the height of the eaves of the building would exceed 2.5 metres
 - the building, enclosure, pool or container would be situated within the curtilage of a listed building
 - it includes the construction or provision of a verandah, balcony or raised platform
 - the capacity of the container would exceed 3,500 litres
2. Where land is within a World Heritage Site, National Park, Area of Outstanding Natural Beauty, or the Broads, development is not permitted by Class E if the total area of ground covered by buildings, enclosures, pools and containers situated more than 20 metres from the house would exceed 10 square metres.
3. Where land is within article 2(3) land, development is not permitted by Class E if any part of the building, enclosure, pool or container would be situated on land between the side elevation of the house and the boundary of its curtilage.

Class F Hard surfaces such as driveways

1. Where the hard surface is situated on land between the principal elevation of the house and a highway, and the area of hard surface exceeds 5 square metres then development is **permitted** by Class F subject to the following conditions:
 - the hard surface shall be made of porous materials, or
 - provision shall be made to direct run-off water from the hard surface to a permeable or porous area / surface within the curtilage of the house

Class G Chimneys, flue or soil and vent pipes

1. Development is **not** permitted by Class G if:

- the height of the chimney, flue or soil and vent pipe would exceed the highest part of the roof by 1 metre or more
- For a house on article 2(3) land - the chimney, flue or soil and vent pipe would be installed on a wall or roof slope which
 - a) fronts a highway and
 - b) forms the principal elevation or side elevation of the house

Class H Antennas

1. Development is not permitted by Class H if:
 - It would result in the presence of:
 - a) more than 2 antennas,
 - b) a single antenna exceeding 1 metre in length,
 - c) two antennas which do not meet relevant size criteria,
 - d) an antenna on a chimney exceeding 0.6 metres in length,
 - e) an antenna on a chimney and protruding above the chimney,
 - f) an antenna with a cubic capacity exceeding 35 litres
 - The highest part of the antenna is higher than the highest part of the roof
 - The highest part of the antenna is higher than the highest part of the chimney, or 0.6 metres from the ridge tiles (whichever is lower)
 - In the case of article 2(3) land, it would consist of the installation of an antenna on
 - a) a chimney, wall or roof slope which faces onto a highway
 - b) in the Broads – on a chimney, wall or roof slope which faces onto a waterway
 - c) on a building which exceeds 15 metres in height
2. Development is permitted by Class H subject to the following conditions:
 - An antenna installed on a building shall be sited so as to minimise its effect on the external appearance of the building
 - An antenna no longer needed for reception or transmission purposes shall be removed as soon as reasonably practicable