

THE PROPOSED DEVELOPMENT SITE -LAND TO THE REAR OF THE CROSS SNECKYEAR ROAD HENSINGHAM / LISTING OF THE CROSS

THE CROSS

The Cross is a substantial dwelling listed Grade II, (refer to attached Official List entry). I enclose this listing as it describes in detail every item of the building which is listed. It does not describe the land adjoining, the walls enclosing the rear field nor the walls and entrance piers or land adjoining the main entrance, (although I will refer to these later in the report).

In the summary under LEGAL, it describes only **the building**, (ie: The Cross), as listed.

THE SITE

The proposed development site is an area of open land to the rear of The Cross surrounded by a substantial stone wall.

In the corner of the open land is a former Coach House which has received planning approval, for conversion in to a dwelling.

Previous detailed consultations with The Conservation Officer, including a site visit, produced advice from the Officer that the land to the rear of The Cross was within the curtilage of the listed building.

He further mentions the gate piers which surround the rear entrance drive outside the land to the rear of the house, but not the substantial wall which surrounds the rear land in part.

Does this mean that the rear land is listed? I consider that the answer would be no. The Officer then mentions the existing main entrance gate piers and the wooded triangular area of land surrounding the entrance drive as falling with the curtilage of the house, which I consider as correct.

This is not to be compared with the land to the rear which is the proposed development site. This land has been used for previously as occasional stock grazing land and a vegetable garden.

To summarise I consider the rear gate piers/the main entrance gate piers and walls to either side, including the area of parkland and mature trees and including the substantial turning circle in front of the house, for turning coaches around are all important features.

As the Conservation Officer states in his report "this triangle is not merely a field like any other" and certainly not like the "field" to the rear of the house. I agree with his comments. The field to the rear is just a parcel of land enclosed within a stone wall.

SETTLEMENT BOUNDARY

The development site is within the settlement boundary of Whitehaven and as such should be considered as potential development land. It is not open countryside and it is contained within a strong boundary feature, the stone wall. It is also located amongst a group of other dwellings.

PREVIOUS CONSENTS WITHIN THE REAR LAND

The former Coach House is within the rear land/field, and planning approval was granted for conversion of the building in to residential use.

CONCLUSION

It is therefore clear that approval has been given previously for residential development in the rear field/land.

I therefore consider that a precedent has been set and that further residential development within the rear land/field should be considered and approved.

Referring to the Conservation Officers advice concerning the poor condition of the rear substantial wall, any future approval could condition the repair of this structure as part of that approval.

I further refer to the Official List Entry which only refers to the building and nothing else as listed.

Notwithstanding the above we do agree with the Conservation Officers comments concerning the front entrance structure and mature woodland and driveway leading to the front of The Cross, all important items within the curtilage of The Cross.

He does not however refer to the rear field/land.

However if it is considered by Officers that the rear field/land is within the curtilage of the listed building, I do not consider that this is a relevant factor in considering this application, (refer to Coach House approval).

Finally, I believe that the erection of two dwellings in the rear field/land, designed with careful thought, will have no detrimental effect on the nearby listed building, The Cross, taking into consideration all the other factors mentioned above.

Richard J. Lindsay
Calva Design Studio

THE CROSS

WEDDICAR

Official list entry

Heritage **Listed Building**

Category:

Grade: **II**

List Entry **1086692**

Number:

Date first listed: **09-Aug-1984**

List Entry **THE CROSS**

Name:

Statutory **THE CROSS**

Address 1:

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it

(whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries](https://historicengland.org.uk/listing/the-list/understanding-list-entries/) (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

[Corrections and minor amendments](https://historicengland.org.uk/listing/the-list/minor-amendments/) (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory **THE CROSS**

Address:

The building or site itself may lie within the boundary of more than one authority.

District: **Cumberland (Unitary Authority)**

Parish: **Weddicar**

National Grid **NX 99337 16057**

Reference:

Details

NX 91 NE 4/93

WEDDICAR The Cross II Large farmhouse, now subdivided into flats.

Late C18/early C19. Painted ashlar front with 2nd floor lintel band and moulded eaves. Graduated slate roof with outshut to centre rear. Stone copings and kneelers, rendered end chimneys.

Symmetrical. 2 storeys with cellars, 5 bays. Splayed stone staircase, with wrought-iron railings, up to central panelled door, with Gothic-traceried fanlight, in pedimented doorcase. Sashes with glazing bars, in architraves. Plank door and 3 windows (one blocked) to cellar. Stair window to west return has segmental head with ogee tracery; small Venetian window to attic. Tripartite sashes to rear.

Listing NGR: NX9933716057

Legacy

The contents of this record have been generated from a legacy data system.

Legacy System **76191**
number:

Legacy System: **LBS**

Legal

This building is listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest.

Curtilage at The Cross, Snekyeat Road, Hensingham.

This is based on Historic England Advice Note 10 "Listed Buildings and Curtilage" (2018) and IHBC Advice note on curtilage (2019) GN2019/2 v. March 2019, in addition to case law.

Single storey barn SW of house

- Layout
 - Stable is in yard immediately adjacent to house, although the yard is enclosed from the house.
- Use or Function
 - Historically
 - Function might be considered related to that of the house if the stabling was for carts/carriages used for transport rather than primarily agricultural. In that sense, it would go with the coach house as effectively fulfilling the role of a domestic garage.
 - At date of listing (9th Aug 1984):
 - Unclear, although horses would not at that point have been used for domestic transport.
- Ownership
 - Historically:
 - Same ownership
 - At date of listing (9th Aug 1984):
 - Same ownership
- Summary
 - It cannot be said to have been created solely to support the domestic transport needs of the household, however it would have been necessary for domestic coaches etc.
 - The yard it's in is enclosed. This is likely the most questionable aspect, however it is also adjacent to the house and adjoining it, and the stables clearly face towards the house and back away from it.
 - The main material factor here is the presence of the coach house, which would have been used domestically by the owners of this high status house (effectively as a garage) and would have required animals to draw it. The stable and the coach house therefore go together as they show how the house would have operated.
 - In *Debenhams PLC vs. Westminster CC*, Lord Keith determined in the case of curtilage *structures* specifically:
 - ...the word 'structure' is intended to convey a limitation to such structures as are ancillary to the listed building itself, for example the stable block of a mansion house, or the steading of a farmhouse (Scottish term for farmstead)...

This provides stable-to-mansion-house as a specific example of the kind of functional relationship that could be plausibly considered ancillary, so adds to the above (in the sense of function).



It would appear reasonable to view this pair of gate piers as falling within the curtilage of the listed house. These sycamore saplings need removing to avoid destabilising the gate pier.



Likewise, I believe these piers and the walls to either side should be viewed as falling within the curtilage of the house. Notwithstanding the more recent and insubstantial fencing, which has been added to allow sheep to be enclosed, this area of parkland and mature trees was historically contiguous with the house, running right up to it with no boundary and containing a substantial turning circle at the frontage for bringing coaches around.

This triangle is not merely a field like any other, but an area of woodland, still with many mature trees, retained to convey a sense of drama and pasteurality to the approach to the house – the curve of the drive around the side of the trees would have suddenly revealed its frontage, facing out across the valley, and is part of its formal effect.