
Appeal Decision

Site visit made on 25 July 2017

by Roy Merrett BSc(Hons) DipTP MRTPI

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

Decision date: 30 August 2017

Appeal Ref: APP/Q9495/W/17/3174123

Land at Hawkshead Hall Farm, Hawkshead, Ambleside LA22 0NN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Shaun Wood against the decision of Lake District National Park Authority.
 - The application Ref 7/2015/5644, dated 19 October 2015, was refused by notice dated 21 October 2016.
 - The development proposed is an agricultural shed and associated compound.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. In coming to my decision I have taken into consideration that the Lake District has been officially designated as a UNESCO World Heritage Site and what the effect of the development would be on that designation.

Main Issue

3. The main issue is the effect of development on the character and appearance of the surrounding landscape including the Lake District National Park (NP) as a World Heritage Site (WHS).

Reasons

4. Hawkshead Hall Farm is situated in a valley location with rising ground levels to the east and west. The wider area is characterised by undulating pasture, irregular field boundaries, intermittent mature trees and long distance views to wooded fells producing an open, attractive and informal landscape. The limited built development that exists tends to be in the form of individual or small clusters of buildings reflecting the reference in the Landscape Character Assessment and Guidelines of the NP 2008 to a landscape peppered with farmsteads and small vernacular hamlets.
 5. It seems to me that the buildings around Hawkshead Old Hall on the opposite side of the road to the farm typify this form of development. In that location the limited scale and mass of development is further mitigated by variation in rooflines, orientation and levels of buildings together with the filtering and screening effect of established vegetation. These features give the buildings an informal feel in keeping with the character of the natural surroundings.
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6. The proposed building would be separated from the main core of the farm, within a prominent, more isolated and elevated location. It would be visible in views from the B5285 road, from Skinner How Lane opposite the site and from the south looking north-west from the public footpath to Keen Ground. I have not been presented with any compelling evidence to persuade me that these would not be popular routes used by the numerous Park tourists travelling to and from the Hawkshead and Coniston areas.
7. Whilst the use of recessive construction materials and colours would mitigate visual impact to a degree, the substantial dimensions of the proposed building combined with its crisp geometric lines would result in a very dominant and imposing structure. Its substantial scale and mass would be further exacerbated by the single span orientation of the roof. From the information before me and my visit, I am firmly of the view that the development would appear starkly at odds with the informal character of the surrounding landscape and nearby buildings when viewed from the aforementioned vantage points. Though I accept that some views would be more transient in nature, in overall terms the visual impact of the development would be significant.
8. I do not therefore concur with the findings of the appellant's Landscape and Visual Impact Appraisal. I have taken into account that the proposal would include the development of a native tree and hedge planting scheme within the immediate surroundings of the site. However such a scheme would take considerable time to mature with a view to effectively screening and softening the visual impact of the built development. Furthermore, the effectiveness of additional screen planting would vary between seasons.
9. I conclude, for the aforementioned reasons, that the development would result in significant harm to the character and appearance of the surrounding landscape. I therefore find conflict with Policies CS25, CS10 and CS11 of the Lake District National Park Core Strategy (Local Plan Part One) 2010 insofar as they seek to provide the highest level of protection to the landscape having regard to local character and distinctiveness. There would also be conflict with Saved Policy A1 of the Lake District National Park Local Plan 1998 insofar as it seeks to ensure that agricultural buildings are well related to existing farm buildings, are of an appropriate standard of design and do not cause demonstrable harm to the landscape or cultural heritage.
10. Accordingly I concur with the Council that there would be harm, albeit less than substantial, to the beauty of the Lake District landscape, acknowledged to be an attribute of Outstanding Universal Value in relation to the WHS designation. Whilst that harm would be less than substantial in terms of the guidance in the National Planning Policy Framework (the Framework), there would still be real and serious harm to a designated heritage asset which is a consideration of significant weight. In such circumstances, the Framework requires that such harm is weighed against the public benefits of the proposal.
11. Hawkshead Hall Farm currently benefits from three gated openings along the B5285 road, providing vehicular access to land in the appellant's ownership. The appellant has offered to permanently close these access points in the event that planning permission is granted for the development which would include new vehicular access arrangements from an alternative location. The proposed access to the site would incorporate splayed radii and is regarded by the

County Council's development management officer as preferable to the existing points of access in highway safety terms.

12. It was apparent from my visit that each of the existing access locations has visibility constraints due to high boundary hedges or the configuration of the road. However it seems to me that, whilst the adjacent road is quite busy, traffic is relatively slow moving, with drivers exercising caution due to the gradient and narrowness of the road and limited forward visibility. Furthermore it has not been drawn to my attention that the locality is an accident black spot. In addition, the appellant's supporting information indicates that vehicle manoeuvres associated with the proposed access would be very low, in the region 3 or 4 per day. I am not therefore persuaded that the proposed access closures would result in significant improvements to highway safety and conclude that there would be only limited public benefit in this regard.
13. The appellant has also confirmed that the development would permit the so-called 'bale pad' area, prominently sited close to the junction of the B5285 and adjacent B5286 roads, to cease being used for unsightly storage purposes. Instead, storage items would be moved into the proposed building and therefore placed out of sight during the summer months.
14. It was evident from my visit that the bale pad area is currently being used to store a small quantity of stacked wrapped bales. This did not appear to me to be a particularly unusual or untidy feature. A small amount of farm-related plant and equipment was also present on the site. Whilst I agree that concealing this from view would result in some visual improvement, I have not been provided with any evidence as to why this would be dependent on a new building and could not be accommodated inside existing buildings on the farm site. Furthermore I am not persuaded that its visual impact is so severe as to be harming the setting of the nearby Grade II* listed buildings known as Hawkshead Old Hall and Hawkshead Court House.
15. Drawing the above findings together, I am firmly of the view that the public benefits of the proposal as set out above, even allowing for the internal storage of materials, would attract only limited positive weight and would not outweigh the harm to the heritage significance of the WHS.
16. I have taken into consideration the appellant's argument that the siting of the building is constrained by the existence of various environmental considerations including an anticipated Nitrate Vulnerable Zone designation, the Esthwaite Water SSSI / RAMSAR site, Natural's England's High Level Stewardship scheme and areas at risk from flooding. However I have not been provided with supporting information to demonstrate how the aforementioned constraints would affect the placement of a building. Furthermore, from the information provided, it is uncertain whether the adaptation of existing agricultural buildings present on the site would be possible in order to provide at least some of the required capacity as an alternative solution or partial solution. These assertions therefore carry limited weight.
17. In the overall planning balance I am mindful that the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks. The adverse impact I have identified in terms of harm to the landscape character of the NP significantly and demonstrably outweighs the benefits, including private benefits to the farm business, when assessed

against the policies of the development plan and the Framework. Accordingly, the proposal in this case does not amount to sustainable development and the presumption in favour of such, as set out in the Framework, does not apply.

Other Matter

18. I have a duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to consider the effect of the proposal on the setting of Hawkshead Old Hall and Hawkshead Court House which are Grade II* listed buildings. It seems to me that the special interest of these buildings derives from their age, form and appearance. The elements of setting that contribute to their significance include their visibility and set back from the B5285 and adjacent B5286 roads. The appeal site is substantially separated from these buildings and there is little inter-visibility between the sites, save in longer range views from the south. In this context, I consider that the appeal site does not contribute to the significance of the buildings or their setting and there would be no harm in this regard.

Conclusion

19. Therefore, for the above reasons, and having had regard to all other matters raised including that there have been letters in support of the development, I conclude that the appeal should be dismissed.

Roy Merrett

INSPECTOR