



Appeal Decisions

Site visit made on 23 September 2019

by G J Fort BA PGDip LLM MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 October 2019

Appeal A Ref: APP/C9499/W/19/3224518

Harden House, Holm Lane, Austwick, Lancaster LA2 8BQ

- 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 A Healing against the decision of Yorkshire Dales National Park Authority.
 - The application Ref C/04/643C, dated 31 January 2018, was refused by notice dated 14 December 2018.
 - The development proposed is alterations and extension to a single-storey wing of Harden House.
-

Appeal B Ref: APP/C9499/Y/19/3224505

Harden House, Holm Lane, Austwick, Lancaster LA2 8BQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr A Healing against the decision of Yorkshire Dales National Park Authority.
 - The application Ref C/04/643D/LB, dated 31 January 2018, was refused by notice dated 14 December 2018.
 - The works proposed are alterations and extension to a single-storey wing of Harden House.
-

Decisions

Appeal A Ref: APP/C9499/W/19/3224518

1. The appeal is dismissed.

Appeal B Ref: APP/C9499/Y/19/3224505

2. The appeal is dismissed.

Procedural Matter

3. The Authority's decisions on these appeals pre-dated the publication of the latest version of the National Planning Policy Framework (the Framework) which sets out that it is a material consideration relevant to decision-taking from the date of its issue. Accordingly, I will take the latest version of the Framework into account in an assessment of the merits of the appeals. As the elements of the Framework of most relevance to the current appeals remain unchanged from the previous version which was relevant at the date of the decisions, no prejudice would occur to the interests of any party as a result of me proceeding on this basis.

Main Issues

4. The main issues are firstly, in terms of both appeals whether the proposed alterations would preserve Harden House a Grade II Listed Building and its special interest; and secondly, in terms of Appeal A the effects of the appeal scheme on the character and appearance of its surroundings.

Reasons

Special Interest, Significance and Surroundings

5. The appeal property, included on the Statutory List within Grade II, is located at the edge of Austwick adjacent to predominantly stone-faced buildings of domestic and agrarian characters within a wider setting of undulating fields bounded by stone walls. Taken together, these elements of the appeal site's surroundings impart an intrinsically rural appearance strongly characteristic of the landscape and scenic beauty of the Yorkshire Dales National Park. Set in its own grounds, Harden House¹ is a substantial building of two storeys on a U-shaped plan with its origins in the 17th Century, but predominantly dating from the 18th Century with 19th and early 20th century alterations and extensions.
6. Faced predominantly in stone, with the use of render in the wings and extensions, Harden House's scale, the robustness of its elevations, with a balance of solid elements to void tipped markedly toward the solid, and the massive chimney stack on its east gable all contribute to the building's special character in aesthetic terms, and harmonise with the character of its surroundings. Moreover, the clear distinction between the more formal elements of the appeal building, and the more functional elements such as the single-storey wing to which this appeal relates is marked; and this serves to emphasise the pre-eminence, both in terms of scale and detailing, of Harden House's more formal elements. These aspects serve to underline Harden House's position as a high-status building within the settlement; and in this respect I note reference to its historic use as a dower house in association with the nearby Lawkland Hall. Insofar as the appeal scheme is concerned these are the key aspects of the Listed Building's significance and special interest.

The appeal scheme

7. The appeal scheme would entail alterations to the rendered single-storey element attached to Harden House's two-storey west wing. The single-storey element has a long elevation adjacent to the garden. Three features, referred to as "pilasters" in the supporting material, are at either end and in the middle of this long elevation- their front faces are on the same building line as the two-storey wing to which the single-storey element is attached, with the walls in between the pilasters recessed slightly. The appeal scheme would entail radical remodelling of this aspect of the single-storey building and its roof, involving the installation of predominantly glazed elevations around an irregular footprint extending towards the garden, parts of which would project in front of the building line of the two-storey wing to which it would be attached. This extended element would be topped by a zinc-clad roof of a considerably different profile to the existing roof, which would partially wrap around the corner of the two-storey wing, and project over recessed elements of the glazed elevations.

¹ Identified as simply "Harden" on the Listing Description

The effects of the appeal scheme- Listed Building

8. I readily accept that the existing single-storey wing, of itself, is of limited aesthetic appeal or architectural merit and is of limited significance in the context of Harden House taken as a whole. Nevertheless, the regularity of its footprint, form and roofscape, taken together with its diminutive scale, and the solidity of its elevational composition result in a subservient functional appearance, which does not compete with the higher status wing to which it is attached. In contrast, the appeal scheme due to its complex roof form and elevational treatment, would be at considerable odds with the traditional roof styles, and the solidity and the generally flatter elevational modelling of the host property. As a result, the appeal scheme would appear visually jarring in the context of its host building, an effect that would be exacerbated by the uncomfortable junction between the proposed roof and the two-storey wing. Taken together the proposed alterations would result in a considerably more assertive structure, eroding the distinction between the functional and the formal. For these reasons, the appeal scheme would diminish the significance of its host building.
9. Although I take the appellant's point on the design rationale behind the orientation of the proposed glazed elements toward the garden, this aspect of the proposal would not serve to soften the harmful effects that I have described. Neither would the appeal scheme's claimed reflection of the social and individual needs of the present day add materially to the special interest or significance of Harden House.
10. Accordingly, taking these matters together with the duties imposed by ss 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I conclude on this main issue that the appeal scheme would fail to preserve Harden House and its special interest.

Character and appearance

11. The existing single-storey building is a discreet presence sited adjacent to one of the principal vehicular routes through Austwick, and as the Parish Council response notes, is one of the first buildings that is seen on the approach from that direction. Moreover, the wing is appreciated in the context of the buildings and structures that I have described above, features of robust solidity, regular roof forms and which incorporate traditional richly textured materials. Within this context, despite the partial screening provided by the wall, existing trees and proposed planting, the complex form of the roof would appear discordant- an effect that would be exacerbated by the facing materials of the proposed alterations which would lack both the textural subtleties and robust solidity of surrounding structures.
12. Accordingly, these considerations lead me to the conclusion on this main issue that the appeal scheme would cause harm to the character and appearance of its surroundings. Accordingly, taken together with my findings on the effects that the appeal scheme would have on the Listed Building and its special interest, and mindful of the duty imposed by s.11A(2) of the National Parks and Access to the Countryside Act 1949 (as amended), I find that the cultural heritage of the Yorkshire Dales National Park would not be conserved. Moreover, for these reasons too, the appeal scheme would conflict with Policies SP2 and SP4 of the Yorkshire Dales National Park Local Plan (adopted December 2016) (the Local Plan). Taken together, and amongst other things

these policies seek to ensure that the design of development is informed by and responds positively to the site, its surrounding context, the landscape setting and reinforces local distinctiveness; and that the statutory purposes of the National Park are not prejudiced.

Other Matters

13. The appellant asserts that the appeal scheme would increase the thermal efficiency of the single-storey wing. The effects of the appeal scheme in this regard, by contributing to a prudent use of natural resources would be a public benefit- however, due to the limited extent of the proposal this weighs in its favour only to a modest degree. Whilst I am mindful of references to the installation of a ground source heat pump at the site pursuant to another consent², it has not been established that implementation of that scheme is contingent on the proposals subject to these appeals coming forward. Consequently, the benefits flowing from the mooted ground source heat pump do not carry any weight in favour of the appeal scheme itself.
14. The appeal scheme may result in a more flexible use of the single-storey wing, which the appellant considers to be under-used in its current form. The appeal scheme could also result in improved amenity and wellbeing for the occupants of Harden House. However, neither the supporting material, nor my observations on-site lead me to the view that a viable use of Harden House, consistent with its conservation would not endure in the absence of the appeal scheme. It has not therefore been demonstrated that the appeal scheme would secure the optimum viable use of Harden House; and for these reasons, the proposal's benefits in these regards would be of an essentially private nature and carry only limited weight in its favour.
15. I have taken into account the appellant's view that consultees on the applications that led to these appeals may not have been able to view all of the supporting illustrative material. However, this is essentially a procedural matter that is not instrumental in my assessment of the planning merits of the appeals.

Overall Balance and Conclusions

16. The Framework anticipates once a finding of harm to the significance of a designated heritage asset (such as a listed building) has been reached that the magnitude of that harm should be assessed. In the current case, the appeal scheme would clearly cause less than substantial harm to the significance of Harden House. Nevertheless, the Framework makes clear³ that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Moreover, the harm should be weighed against the public benefits of a proposal⁴; such benefits could include securing the optimum viable use of a heritage asset.
17. For the reasons set out above, it has not been demonstrated that the appeal scheme would result in the optimum viable use of Harden House. Although some modest public benefit would arise from the proposal in terms of its

² Council reference C/04/643E/LB

³ At paragraph 193

⁴ At paragraph 196

contribution to the thermal efficiency of the property, this fails to tip the balance in favour of the appeal scheme when set against the great weight and importance I attach to the harm it would cause to the significance of Harden House. For these reasons, the appeal scheme would not accord with the Framework insofar as, amongst other things, it seeks to ensure that heritage assets are conserved in a manner appropriate to their significance. For these reasons too, the proposal would conflict with Policy L1 of the Local Plan insofar as, amongst other things, it states that proposals which result in less than substantial harm to designated heritage assets would only be permitted where the public benefits of a proposal clearly outweigh the loss of significance.

18. Moreover, no material considerations advanced in favour of the appeal scheme are of a sufficient weight to justify a decision other than in accordance with the development plan, with which in terms of the above-cited policies it would clearly conflict.
19. Accordingly, for the reasons given above, and taking fully into account all other matters raised, I conclude that the appeals should be dismissed.

G J Fort

INSPECTOR