
Appeal Decision

Site visit made on 5 September 2019

by Brendan Lyons BArch MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21st October 2019

Appeal Ref: APP/A2335/Y/19/3225938

6 Packet Lane, Bolton-le-Sands, Carnforth LA5 8DW

- 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 John Goodman against the decision of Lancaster City Council.
 - The application Ref 18/01250/LB, dated 25 September 2018, was refused by notice dated 25 January 2019.
 - The works proposed are the installation of 7No. external CCTV cameras and associated wiring and containment onto the external walls of the buildings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The appeal property is a house that stands set back from a narrow lane just off the main road through the centre of the village of Bolton-le-Sands. The house's forecourt is flanked by houses on each side which appear to share this space for access. To the rear, the wide plot backs onto a public recreation ground.
3. The house, which appears to date from the early eighteenth century, has a simple gabled form, and is built in partly-rendered stone, with a stone slate roof. The building is listed Grade II, with the listing reflecting its former subdivision into two separate units. It also lies within the Bolton-le-Sands Conservation Area.
4. Listed building consent is sought for the placement of CCTV cameras at different locations around the building, and for exposed plastic conduit that carries the wiring to the cameras. The equipment is already in place.
5. The main issue is the effect of the cameras and associated fittings on the special interest of the listed building and on the character and appearance of the conservation area.

Reasons

6. In considering a proposal for the alteration of a listed building, statutory duty¹ requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. A similar duty applies in respect of the preservation or

¹ Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990

enhancement of the character or appearance of a conservation area². National policy guidance set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'designated heritage assets' such as listed buildings and conservation areas³. The particular significance of any element of the historic environment likely to be affected by a proposal should be identified and assessed⁴. Any harm should require clear and convincing justification⁵.

7. In this case, the application was not supported by any analysis of the building's special interest or of its contribution to the character or appearance of the conservation area. Having regard to the list entry and to the Council's assessment, I find that its historic interest lies as a surviving example of a dwelling of its period, with a number of original features at least partly preserved. Its architectural interest derives from the simplicity of its form and local vernacular materials, and the treatment of window and door openings of different periods. As an early dwelling that retains its form, the building makes an important contribution to the character of the conservation area, whose appearance is enhanced by views of the house from the lane and from the public spaces to its rear and side.
8. The seven cameras have been fitted to the walls at or below eaves level, with one on the front elevation, two on the rear and two on each gable. Each camera projects from the wall by some 300mm. Their prominent location and contemporary design, highlighted by the contrast between their white case and dark lens, makes them appear incongruous against the traditional form and materials of the listed building. The long lines of conduit also appear very prominent, providing a strongly rectilinear contrast with the softer lines of the building. The adverse effect is particularly true of the cameras and conduit fixed to the natural stone elevations. The placement of the cameras at slightly different heights and insets also relates poorly to the features of the building, such as the windows on the southern elevation. The camera on the front elevation is one of the least obtrusive, but has a poor relationship with the adjoining mullioned windows. The installation strongly detracts from the historic character of the listed building.
9. Any harm to the special interest of a listed building is also inherently harmful to the character of the conservation area in which it stands. In this case, several of the cameras and their conduit links are clearly visible from adjoining well-used public spaces, comprising the community centre car park and the footpath and tennis courts in the recreation ground. The character and appearance of the conservation area are harmed by the installation.
10. There would also be minor harm to the significance of the houses adjoining the appeal site, which have been identified by the Council as non-designated heritage assets and whose positive contribution to the character and appearance of the conservation area is greatly influenced by the group setting provided by the appeal building.
11. It is submitted on behalf of the appellant that the installation was designed to have minimum impact on the appearance and fabric of the building. But as the

² Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

³ NPPF paragraph 193

⁴ NPPF paragraphs 189, 190

⁵ NPPF paragraph 194

Council and others point out, even if cameras were found necessary a wireless type would at least eliminate the need for external cabling, which would have been a significant improvement. No details have been provided, but the suggestion that the existing installation could be treated to improve its appearance is not convincing. It is not clear that the existing installation has less impact on the fabric of the building than other options, or that removal of the current fittings would be potentially harmful.

12. Attention is drawn on behalf of the appellant to the building's existing surface-mounted services, which include alarm boxes, tv cables and a highly prominent gas supply pipe that crosses the front and side elevations. I accept that these already detract from the building's historic integrity, as also do some of the modern windows, but that does not provide justification for further harm.
13. The precise nature of the incidents that led to the installation of the cameras is not spelt out in detail. Most of the property consists of a well secured private garden and yard, where fly-tipping would not normally be encountered. The front of the property is open to the street, but well overlooked by the very close neighbouring houses. No evidence has been provided of any police or insurance recommendation on the need for security of this type, or that the incidents experienced should be considered a long-term problem requiring a permanent installation, rather than a sporadic issue. The cameras appear to offer private security only, and there are insufficient grounds to conclude that they have wider public benefits.
14. I accept that any instance of trespass would be a source of great concern to residents, particularly if they are elderly and infirm, as in this case. But I am not convinced that other measures with less adverse impacts on the quality of the building and the local area could not be effective in achieving a suitable measure of security. The installation could be removed in the future, so that the harm to the significance of the listed building is less than substantial in the terms of the NPPF. The harm to the heritage significance of the conservation area and adjoining houses is minor. But, on the evidence, the harm is not outweighed by public benefits and is not supported by clear and convincing justification.
15. In addition to the conflict with statutory and national policy objectives, the proposal would also be contrary to Policies DM30, DM31 and DM33 of the Lancaster Local Plan Development Management DPD, adopted in 2014, which respectively seek to protect the significance of listed buildings, conservation areas and non-designated heritage assets.
16. As the appeal is for listed building consent only and not for planning permission, consideration is confined to heritage issues only. This decision does not take account of concerns raised by neighbours and the Parish Council about the alignment of some of the cameras, including their potential impact on privacy.

Conclusion

17. For the reasons set out above, I conclude that the appeal must be dismissed.

Brendan Lyons

INSPECTOR