

Appeal Decision

Site visit made on 18 February 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2020

Appeal Ref: APP/Q9495/W/19/3242104

Lancrigg, Grasmere, Ambleside LA22 9QN

- 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 Simon Wright against the decision of Lake District National Park Authority.
 - The application Ref 7/2019/5263, dated 19 April 2019, was refused by notice dated 20 June 2019.
 - The development proposed is erection of 3no. shepherd's cabins.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. For the sake of clarity and brevity, I have used the description of development from the Council's decision notice.
3. The application form refers to planning permission and listed building consent. As indicated in the heading above, I have only assessed this appeal under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission for the proposed development.

Main Issues

4. The main issues are whether the proposal would preserve the grade II listed building Lancrigg and the English Lake District World Heritage Site; and the effect of the proposal on Red Squirrels.

Reasons

Listed building and World Heritage Site

5. The proposed shepherd's cabins (cabins) sit within the grounds of the grade II listed building known as Lancrigg and also within the English Lake District World Heritage Site (WHS).
6. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, (the Act) requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest. Moreover, paragraph 193 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the

significance of a designated heritage asset, great weight should be given to the asset's conservation.

7. Lancrigg was built in the 17th century with coloured roughcast over stone rubble, slate roof with round chimneys, thick volts panelled reveals with the interior having some Tudor arches in the hall. The listing suggests that Lancrigg was an old farmhouse which was modernised around the 1850's. It has also been indicated that Lancrigg has historical connections with persons such as William Wordsworth and Sir John Richardson with the latter being described as undertaking the planting of the woodland which surrounds Lancrigg. The grade II listed building Lancrigg therefore has historical and architectural significance within the area.
8. Woodland surrounds the Lancrigg building on most sides with the building being screened from the majority of wider views. The long access track from the main road to Lancrigg offers primarily views of the rural countryside with minimal built development. The Lancrigg building is secluded and only emerges into full view as you approach the building through the rural environment of the fields and woodland. It is this location of Lancrigg within the rural countryside that plays an important role in the significance of the setting of the grade II listed building.
9. The proposed cabins would be of traditional design with sedum living roofs, located amongst the existing woodland and would not be visible from the Lancrigg building. However, given the proposed location of the cabins they would appear out of keeping within the existing rural setting that is mostly devoid of built development.
10. The existing car park and associated vehicles currently has a negative effect on the setting of the listed building Lancrigg. The proposed cabins, which would be punctured into the woodland, would be incongruous features that would further detract from the rural environment that surrounds Lancrigg and adversely effecting the setting of the listed building.
11. Lancrigg has been described as a working hotel with a significant number of visitors including walkers, locals and members of the public. The activity associated with the proposed cabins, including outdoor seating, would therefore unlikely have an adverse effect on the tranquillity of the area. Nevertheless, the cabins would be visually prominent and have a detrimental effect on the surrounding landscape and the special qualities of the WHS as well as the setting of the listed building.
12. I therefore find that the proposed cabins would not preserve the grade II listed building Lancrigg and would be harmful to the surrounding landscape and WHS. The proposals would be in conflict with Policies CS01, CS02, CS10, CS11, CS24, CS25 and CS27 of the Lake District National Park Core Strategy 2010 (CS) which seeks proposals to recognise the national significance and unique character of the Lake District National Park; conserve and enhance the character of the local landscape and built environment; deliver a high quality tourism experience; and conserve and enhance the character, integrity and setting of the historic environment.
13. The proposals would be harmful to the setting of the listed building and the WHS, and thereby the significance of the heritage assets. Nevertheless, I consider the harm would be less than substantial and in accordance with

paragraph 196 of the Framework, that harm should be weighed against any public benefits of the proposal.

14. Lancrigg is a working hotel and no substantial evidence has been provided to indicate that the proposals are specifically required to support the viability of the business. The appellant is undertaking a 15-year restoration plan of the building and grounds however, no evidence has been submitted to indicate that the proposals are required in order to contribute to this restoration plan. No other evidence of public benefit has been provided which leads me to consider that the harm to the listed building and the WHS that I have identified above would be outweighed.
15. The proposal would, therefore, fail to sustain or enhance the setting, and thereby the significance of, the designated heritage assets. It would not accord with the policies of the Framework which seek to conserve and enhance the historic environment.

Red Squirrels

16. An Ecological Appraisal dated June 2018 (Appraisal) was submitted as part of the planning application which was originally submitted as part of a previous application for a different proposal. This Appraisal indicates that Red Squirrels has been recorded locally however, no dreys were located along the proposed track and no feeding signs were located. I also note an email in the appellants appendices which indicates that the ecologist has a view that the proposals would have minimal impact.
17. There are some discrepancies with the Appraisal, in particular with regards to the area which was surveyed in relation to the proposed development. Figure 4 in the Appraisal titled "Results of Extended Phase 1 Habitat Survey" highlights the site boundaries. These site boundaries do not cover the area where the cabins are proposed to be located. It is therefore not clear whether the area proposed for the cabins have been surveyed for Red Squirrels.
18. From the evidence submitted, I am not convinced that the location of the proposed cabins has been adequately assessed within the Appraisal, and therefore the proposal fails to adequately demonstrate the effects on Red Squirrels.
19. Accordingly, I find that the proposal could have a harmful effect on Red Squirrels. The proposal would be contrary to Policy CS26 of the CS which seeks to protect the important geodiversity of the Lake District National Park which includes its wealth of habitat and species.

Conclusion

20. I conclude that for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR