



Appeal Decision

Site visit made on 28 September 2021

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2021

Appeal Ref: APP/A2335/W/21/3278041

Brookhouse Hall, Brookhouse Road, Brookhouse LA2 9PA

- 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 Craig Worrell against the decision of Lancaster City Council.
 - The application Ref 21/00231/FUL, dated 23 February 2021, was refused by notice dated 18 June 2021.
 - The development proposed is demolition of conservatory replaced with single storey orangery.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the course of the appeal, the revised National Planning Policy Framework (July 2021) (the Framework) was published. Parties were provided with an opportunity to comment on the relevance of this, and I have taken any subsequent comments received into account in my determination of this appeal.
3. The appeal is retrospective and at the time of my site visit, the side extension was completed. I have considered the development accordingly on this basis.

Main Issues

4. The main issues are the effects of the development on the character and appearance of the host building, which is a Non-Designated Heritage Asset (NDHA), the Brookhouse Conservation Area (BCA), the Forest of Bowland Area of Outstanding Natural Beauty (AONB) and the setting of nearby Listed Buildings.

Reasons

5. Brookhouse Hall is an imposing and prominent two-storey detached dwelling of stone construction. It features an attached garage to one side and the single-storey extension subject to this appeal on the other. The extension has a flat roof with a lantern. The walls are rendered in an off-white colour while the window frames are painted the same shade of grey as those of the main house.

Non-Designated Heritage Asset

6. The host building is identified in the Brookhouse Conservation Area Appraisal (CAA) as a building of special interest. In accordance with the Planning Practice Guidance¹, a NDHA can be identified through CAAs. As such I am satisfied the host building meets this criterion. As such, having regard to paragraph 200 of the Framework, the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. From my observations, the significance of the host dwelling as a NDHA is derived from its aesthetic value, particularly its imposing symmetrical façade and historic association with the development of the settlement.
7. The use of off-white render jars with the traditional stone walls of the host property. Moreover, the deeper and more modern design of the eaves set beneath the flat roof with its large lantern are at odds with the simple form and traditional composition of the host roof. Taken together, the development harms the character and appearance of the host dwelling and when viewed in the context of the stone façade, it also causes harm to the significance of the NDHA.
8. I am informed there are other properties which incorporate render in their external finishes in the vicinity of the appeal site. I did observe some of these on the site visit, although their contexts and circumstances differed to that of the appeal site in that they were more modern dwellings. As such I do not regard them as directly comparable. I understand the extension replaced a conservatory which was considered unsightly in relation to the appeal property. Be that as it may, I can only assess the development on its own merits, and this alone does not make the extension acceptable given the harm I have identified. Although I agree the extension is not overly large, this matter is not in dispute between the parties.

Heritage Assets

9. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The Framework sets out at paragraph 199 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to that asset's conservation.
10. The significance of the BCA is largely derived from the architectural and historic interest of the area's buildings and prevalent use of locally quarried building stone for walling, roof slates and boundary walls, among other factors. Given the important contribution individual buildings such as the host property make to the BCA, set against the identified importance of the use of local stone as a building material, the use of inappropriate materials harms the significance of the BCA. The front boundary hedge of the property screens some views of the extension from Brookhouse Road. However, I observed on the site visit the harmful elements I have identified, namely the render, flat roof, eaves and lantern, were clearly still visible above the hedge.

¹ Paragraph: 040 Reference ID: 18a-040-20190723

11. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires the decision maker to pay special attention to the desirability of preserving the setting of a Listed Building.
12. The host building is located adjacent Brookhouse Old Hall and the Barn South of Brookhouse Old Hall, both of which are Grade II Listed. While the mature trees and hedges which line the boundary between the properties have lessened the visual relationship between the buildings, the significance of the Listed Buildings derives from their aesthetic value and historic association with the development of the area. As such, I consider the extension is within the setting of the Listed Buildings.
13. Given my findings above that the proposal is harmful to the character and appearance of the host property and the BCA, it follows that the inappropriate materials and design of the extension causes harm to the setting within which the listed buildings are experienced. Although I am informed of a dwelling in the grounds of Brookhouse Old Hall for which the Council has granted planning permission, I have little information on this. In any event, I have assessed the proposal on its own merits.
14. The harm to the significance of heritage assets is localised and therefore, in terms of the approach in the Framework, is less than substantial. Paragraph 202 of the Framework states that where a development would lead to less than substantial harm to the significance of a heritage asset, that harm should be weighed against the public benefits of the proposal. However, the benefits of the proposal are essentially private to the appellant and therefore do not represent clear justification to outweigh the harm.

Forest of Bowland AONB

15. The site is located within the Forest of Bowland AONB. The Framework advises through paragraph 176 that great weight is to be afforded to conserving the landscape and scenic beauty of such areas, which have the highest status of protection. Due to its location to the side of the dwelling in a private garden within a built-up area, the proposal is not readily visible from the vast majority of the area covered by the designation and therefore does not harm the AONB and conserves its natural beauty.
16. To conclude, the proposal harms the character and appearance of the host building, a NDHA, fails to preserve the significance of the BCA and the setting of nearby Listed Buildings. As such it does not meet the statutory requirements of the Act. Furthermore, the development is contrary to Policies DM29, DM38, DM39 and DM41 of the Local Plan for Lancaster District 2011-2031 Part Two: Review of the Development Management Development Plan Document (adopted July 2020). These advise, among other things, that development should respect the character of the surrounding built form and its wider setting, in terms of design and the materials used. The proposal would also be contrary to the aims of the Framework, which requires development to sustain and enhance the significance of heritage assets, including their setting.
17. I have found that the proposal does not harm the intrinsic landscape beauty of the AONB. Therefore, it does not conflict with Policies (DM46, SP7 and EN2), which state that the landscape character and visual amenity of both AONBs and their settings will be conserved and enhanced.

Conclusion

18. Whilst I have found that the development conserves the natural beauty of the AONB, this is a neutral factor and does not outweigh the harm I have found with regard to the character and appearance of the host building, a NDHA, the BCA and the setting of nearby Listed Buildings.
19. For the above reasons and having had regard to the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR