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# Appeal Decision

Site visit made on 29 November 2022

**by M J Francis BA (Hons) MA MSc MCIfA**

**an Inspector appointed by the Secretary of State**

**Decision date: 23 December 2022**

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**Appeal Ref: APP/A2335/W/22/3304005**

**Quernmore House, Littledale Road, Quernmore LA2 9EN**

- 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 Chris Halbard against the decision of Lancaster City Council.
  - The application Ref 21/00549/FUL, dated 23 April 2021, was refused by notice dated 11 February 2022.
  - The development proposed is to seek planning approval in connection with the conversion of two dwellings and office into one dwelling, internal remodelling and extension.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The application form is in the name of 'Halbard' but the appeal form has confirmed that the appellant is Mr Chris Halbard.
3. Amended plans which have removed dormer windows from the dwelling and introduced further rooflights were provided to the Council and considered in their decision.
4. The site has been considered in accordance with Regulation 14(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The development falls within the description at 10(b) of Schedule 2 of the Regulations. In the opinion of the Secretary of State, having taken account the relevant criteria to the Regulations, the proposal would not be likely to have significant effect on the environment. Accordingly, in exercise of the powers conferred on the Secretary of State by Regulations 14(1) and 7(5) of the above Regulations, the Secretary of State has directed that the development is not Environmental Impact Assessment (EIA) development. Therefore, this matter does not need to be considered further.

## Main Issues

5. The main issues are:
  - The effect of the proposal on the character and appearance of the dwelling; and
  - The effect on landscape character of the area and the Forest of Bowland Area of Outstanding Natural Beauty (AONB); and
  - The effect of the proposal on biodiversity.

## Reasons

### *Character and appearance*

6. Quernmore House is located in an elevated position overlooking the adjoining countryside. It has extensive grounds which are partly landscaped, and the buildings are framed by woodland to the side and rear. The house, which is stone built and two storeys in height, is reached by a formal driveway with stone pillars adjoining the road. It has previously been divided internally to form two dwellings and has a modern conservatory built against the gable wall. To the side of the house is a stone, two-storey building which has been used as an annex and office. This building has had permission for conversion into a two-bedroom house. In front of this is a car port in poor condition.
7. The Council has, through the planning process, designated Quernmore House as a non-designated heritage asset (NDHA). The building was the parsonage or rectory attached to an early 18<sup>th</sup> century church which was later replaced by St Peter's Church, some distance from the house. The house is reputed to have been built in the 1840s, with the annex constructed in 1890 and the house is shown on Ordnance Survey maps from the mid-19<sup>th</sup> century.
8. The appellant considers that Quernmore House is not of sufficient merit to be considered as a NDHA. However, the Planning Practice Guidance advises that NDHAs are identified by plan-making bodies via a number of processes, which can include being designated as part of the decision-making process on planning applications. It has been stated that the house has evolved and is much altered and is of no particular significance either historically or architecturally. However, many heritage assets will have seen significant change throughout their history, so Quernmore House is not untypical of other historic buildings in this respect. Although there is no local list or evidence of the formal assessment that was undertaken, the building has local significance as the parsonage or rectory of the local church. Whilst this church is no longer there, Quernmore House does provide a clear link with this former building. The size, location and grounds of the house also provide evidence of the importance of the church and its incumbent within the local community of Quernmore at the time that the building was used for this purpose. Therefore, its significance, for the purposes of this appeal, is largely derived from its architectural character and woodland setting, combined with its former role and association with the church.
9. Paragraph 203 of the National Planning Policy Framework (the Framework) advises that the effect of an application on the significance of a NDHA should be taken into account and that where applications directly or indirectly affect NDHAs, a balanced judgement will be required to the scale of any harm or loss and the significance of the heritage asset.
10. The proposal has a number of elements. This involves extensive alterations to the house, including raising the roof to create a second floor and significant internal and external remodelling. Extensions in the form of a two-storey pitched roof enlargement to the side, single storey additions, and a large, pitched roof kitchen and family room extension extending a significant distance forward of the existing front of the house are proposed.
11. Whilst the stone bay windows and the two-storey porch are considered to be later additions to the front of the house, these windows are decorated with

stone motifs and demonstrate the evolution of the house in the Victorian period. Although the appellant considers that these extensions to the house are of low quality, these additions are formed with neat, coursed stone with quoins and lintels which add to the pleasing character of the front elevation.

12. The appellant has suggested that the proposed extensions are not excessive in scale and mass, but the proposal would add substantial extensions to the house, particularly the non-traditional forward extension proposed to the front. The loss of features, including barge boards and the deep overhang, would remove all the distinctive architectural features of the building. The extent, size and design of the extensions, with large areas of glazing, particularly on those elevations that are visible from public vantage points, and the raising of the roof height, would alter the building to such a degree that it would seriously harm the significance of the site as a non-designated heritage.
13. The existing annex has already had significant changes to the building including adding a first floor to the building, the introduction of new openings with modern, unsympathetic doors and windows and the building of a large porch extension. The proposal would on the north elevation create a simplified window pattern but large areas of glazing on the front of the building and the gable elevations, particularly that facing towards Postern Gate Road, would create a discordant design that would undermine the character of a rural building, even one that has had numerous later additions.
14. The proposal also includes a five-bay garage and car port. Whilst this would be built of stone and slate and built into the hillside, it would be a large building that would require the removal of trees and significant remodelling of the surrounding land. The appellant considers that this would not be a 'sterile design' or incongruous within the wooded location. However, the construction of the garage close to the entrance to the site, with the large vehicle turning area, in conjunction with formalised planting and landscaping would not relate to the setting and character of this site located within the open countryside.
15. The proposal in its entirety would alter the character and appearance of the house, the annex and its surroundings to such an extent that the original house and its site would be completely subsumed by the modern development. This would cause substantial harm to the significance of the heritage asset and as such, to the character and appearance of the dwelling.
16. Therefore, the proposal would not accord with Lancaster District Local Plan, 2011-2031, Part Two: Review of the Development Management DPD, (LP Two) Policy DM29 requiring good design, and Policy DM41 requiring extensions or alterations to be designed sympathetically and ensure that the significance of a NDHA is protected or enhanced where possible. It would also not accord with Lancaster District Local Plan, 2011-2031, LP Part One: Strategic Policies and Land Allocations DPD, (LP One) Policy SP7 which seeks to protect the historic environment, plus advice within the Framework.

#### *Forest of Bowland AONB*

17. The site is located within the Forest of Bowland AONB. Such areas are designated for the purposes of conserving and enhancing natural beauty and section 85(1) of the Countryside and Rights of Way Act 2000 places a duty upon me to have regard to these purposes in this decision. Paragraph 176 of the National Planning Policy Framework (the Framework) advises that 'great

weight should be given to conserving the landscape and scenic beauty' within AONBs 'which have the highest status of protection in relation to these issues'

18. Whilst the appellant considers that the AONB designation relies on natural beauty, this broad term, as set out in the Forest of Bowland AONB Management Plan 2019-2024, encompasses both natural and human elements including buildings, the people who live in it and perceptions of those who visit it. The designation of the Forest of Bowland AONB as a landscape of national significance is a result of numerous special qualities which includes that it is an outstanding landscape and a landscape rich in heritage.
19. The appellant believes that the design of the works to the house, the removal of the existing car port, the siting of the new car port into the hillside, and a high-quality landscape scheme would enhance the setting of Quernmore House and contribute to the wider character of the AONB.
20. Quernmore House is already a substantial and prominent dwelling. I have already found that the design of the substantial extensions proposed are unacceptable and harm the character and appearance of the house. The property currently nestles into the landscape. It has a pleasing backdrop of woodland and is sited amongst country lanes overlooking fields bounded by dry stone walls. Therefore, the site contributes to the special qualities of this designated landscape. The dominant proposals, particularly the jarring glazed elevations and front extension would be incongruous and out of scale to the house. The proposals, rather than providing a sensitive design approach within a designated landscape, would as a result of the proposal, increase the prominence of the property which would adversely affect the character of this part of the AONB.
21. I therefore conclude that the proposal would fail to conserve or enhance the landscape and scenic beauty of the Forest of Bowland AONB. The proposal would not accord with Policies DM46 of LP Two, and SP8, EN2 and EN3 of LP One, which collectively seek to protect designated landscapes including the AONB, the natural environment and open countryside. It would also not accord with advice within the Framework.

### *Biodiversity*

22. The site has a number of trees which are located along the lane adjacent to the site and surround the rear and side of the house. A number of these trees would be removed, including a number of common oak trees. Further effects would be caused from the development being within the root protection area of other trees. In compensation, three oak trees are proposed to be planted, as well as other broadleaf deciduous trees and the re-establishment of an orchard. A habitat creation plan has been provided including the planting of a beech hedge and a native species-rich hedgerow and the introduction of swales, wet woodlands and a wildflower meadow. This scheme is considered by the appellant as enhancing the wooded character of the site.
23. The trees contribute to the woodland setting of the overall site and its position on the hillside rising up from Postern Gate Road. While some trees have had to be removed due to damage, the removal of further large numbers would harm the landscape character of the site. The appellant has highlighted that Natural England has no objection to the proposal, but this is focused on statutorily protected nature conservation sites, which are not affected by the

development; although generic advice on other natural environment impacts and opportunities has been provided. The proposal would result in a significant loss of biodiversity, including the use of the trees for feeding for the bats on the site, and birds and other species that inhabit the woodland.

24. A Bat survey of the house has identified a large breeding roost of Brown long eared bats, and a single Natterer's bat. Brown long eared bats are protected under the Wildlife and Countryside Act, 1981 and are a European Protected Species under Annex IV of the European Habitats Directive. As the proposal includes heightening the roof of the house, where the bats are located, a Natural England EPS Mitigation Licence would be required to move them to the roof space of the proposed garage. The bat survey work was carried out on 9 September 2020. This survey work, based on the date of the survey, is no longer up to date, or has the level of detail required for works affecting a protected species. There also appears to be no guarantee that the roost would migrate to this new location within the proposed garage. Therefore, I am not convinced, based on the information before me, that the proposal would not harm the protected species found on this site.
25. The loss of many trees on the site and the removal of the existing bat roosts within the house, would significantly harm the biodiversity of this site, including harm to protected species. It would therefore not accord with LP Policies DM44 of LP Two and SP8 of LP One, and the Framework.

### **Other Matters**

26. Comments have been made in relation to the private water supply and the installation of a ground-source heat pump and package sewage treatment plant; and that if the proposal is approved there should be a condition for an electric vehicle charging point. As I am dismissing the appeal, there is no reason to consider these matters further.

### **Conclusion**

27. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations that outweigh the identified harm and associated development plan conflict.
28. For the reasons given above, I conclude that the appeal is dismissed.

*M J Francis*

INSPECTOR