



Appeal Decision

Site visit made on 10 April 2024

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th May 2024

Appeal Ref: APP/Q9495/W/23/3332467

Storrs Hall Hotel, Storrs Park, Windermere, Cumbria LA23 3LG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Hindle of Storrs Hall Ltd against the decision of Lake District National Park Authority.
 - The application Ref is 7/2023/5257.
 - The development proposed is described as: 'Proposed erection of a new boat house with guest accommodation and associated external works'.
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Decision

1. The appeal is allowed and planning permission is granted for proposed erection of a new boat house with guest accommodation and associated external works at Storrs Hall Hotel, Storrs Park, Windermere, Cumbria LA23 3LG in accordance with the terms of the application, Ref 7/2023/5257, subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal site lies within the grounds of Storrs Hall, a Grade II* listed¹ building. Within the Storrs Hall grounds, to the north of the appeal site, is the Grade II* listed Storrs Temple². I have therefore had special regard to sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. National Parks have the highest status of protection in relation to landscape and scenic beauty. Under the National Parks and Access to the Countryside Act 1949, the two purposes of National Parks are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and to promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public. In accordance with paragraph 182 of the National Planning Policy Framework (the Framework) I have attached great weight to the conservation and enhancement of the landscape and scenic beauty of the National Park as well as to its wildlife and cultural heritage in my decision.

Main Issue:

4. The main issue is the effect of the proposed development on the character and appearance of the lakeshore having regard to the site's location within the Lake District National Park, the English Lake District World Heritage Site (WHS) and the setting of the nearby Grade II* listed buildings.

¹ List Entry Number: 1332564.

² List Entry Number: 1124742.

Reasons

5. The appeal site is a small area of shoreline of Lake Windermere located on the edge of the grounds of Storrs Hall, a hotel. It is bounded by dense woodland to the north and west. To the east is a residential property, Grey Gables and its boathouse. This lies adjacent to a pair of two storey boathouses, each with balconies to the first floor with jetties into the lake. These form part of a number of boathouses along this part of the lakeshore which is characterised, in part, by the variety of boathouses along its edge.
6. Storrs Hall is a Classical villa constructed in the mid 1790s. Faced with stucco it comprises of the original house with its canted central bay and slightly taller wings to either side added in c1808-9. A service wing to the east was raised to three storeys when the building first became used as a hotel in the 1890s. The building is located on a promontory extending into Lake Windermere from the eastern shore. The hotel grounds are predominantly wooded, with the exception of a landscaped lawn allowing for two planned lines of sight and views towards the lake from the main reception rooms of the hotel. As such, in views from the lake, the main part of the hotel is seen framed by woodland to either side (east and west) which extends to the lake edge.
7. The significance of Storrs Hall is derived, in part, from its architectural and historic interests as an example of an elegant late eighteenth century lakeside Classical villa, reflective of an increasing appreciation of the picturesque landscape of the Lake District at this time. The planned woodland setting and landscaped views to and from Storrs Hall on the shores of Lake Windermere are thus fundamental to its significance.
8. The Storrs Temple is a small octagonal garden house of stone construction that was commissioned in 1802 by the owner of Storrs Hall. Dedicated to British naval triumphs, it juts out into the lake from the predominantly wooded promontory and is accessed via a paved causeway. Having deteriorated in the twentieth century, its windows and doorway are open with fine views onto the lake. The building's significance, insofar as it relates to the appeal, derives from its architectural and historic interest through its historic association with Storrs Hall, its distinctive form and its tranquil lake edge position.
9. It is common ground between the parties that the appeal site lies within the setting of the Grade II* listed Storrs Hall and Storrs Temple. The setting of a heritage asset is defined as the surroundings in which it is experienced, and its importance therefore lies in what it contributes to the significance of the heritage asset³.
10. The appeal site is a small area of shoreline to the south eastern fringe of the Storrs Hall grounds that is notably less wooded and more open to the lake. There is no intervisibility between the buildings of Storrs Hall or Storrs Temple and the appeal site. Bounded by the woodland to the north and west it has some low level vegetation and includes a shingle beach. Although it is understood the site has had trees felled following storms, it has a notably less manicured appearance than the lawns to the west. In views of Storrs Hall from the lake, the appeal site is seen to the right side of the eastern area of woodland when looking north east. However, in these views, as a small area not comprising the distinct wooded or landscaped areas, the site is barely

³ National Planning Policy Framework – Glossary.

distinguishable from the adjacent shingle shoreline associated with Grey Gables and its boathouse. In that regard, whilst it lies on the edge of its grounds, the appeal site contributes little to the significance of the asset.

11. Similarly, although lying within the wider setting of Storrs Temple, the appeal site is some distance away and not readily visible from this asset. Being more visually related to the adjacent boathouse and dwelling, its contribution to the significance of the Storrs Temple is limited.
12. The appeal site lies within the English Lake District WHS, a designated heritage asset of the highest significance. The Outstanding Universal Value (OUV) of the WHS is based on attributes of the landscape grouped into three themes relating to its exceptional beauty, shaped by agro-pastoral traditions; its inspiration for artistic and literary movements and its role as the catalyst for key developments in the national and international protection of landscapes. The development of country houses and villas in the eighteenth and nineteenth centuries was a reflection of the increasing appreciation of the Lake District's picturesque landscape at this time.
13. On this basis, I consider that the significance of the WHS insofar as it relates to this appeal, is largely derived from its historic interest as a spectacular and inspirational landscape, combined with its continuous and distinctive agro-pastoral traditions and rich cultural heritage. Significance also arises from the prevalence of grand eighteenth and nineteenth century villas and their landscaped gardens positioned along lake shores, reflective of the appreciation between the picturesque landscape and built form. As a fine Classical villa in expansive wooded and landscaped grounds, the appeal site makes a positive contribution to that significance.
14. As defined in the Lake District Landscape Character Assessment (LCA), the appeal site and its surroundings lie within the Lowland Valley of the Lower Windermere Landscape Character Area. This is characterised by extensive ancient semi-natural woodland right down to the lake shores, punctuated by scattered large residences. The National Park Authority has drawn my attention to a threat identified within the LCA through recreational pursuits. It advises that, in order to conserve and enhance the cultural and historic character of the landscape, lakeside developments such as boathouses must reflect Victorian and local vernacular styles and scale.
15. The proposal would involve the construction of a boathouse with holiday accommodation, to be used in association with the hotel, above. Policy 18 of the Lake District Local Plan (2021) (the LP) supports sustainable tourism proposals that are located adjacent to an existing accommodation site. LP Policy 24 permits lakeshore development that provides facilities or services that have a direct lake use function for recreation or water-based transport. The policy also requires that the scale, siting, and design of the development enhances or maintains the character of the lake and its lakeshore location, including undeveloped stretches of lakeshore.
16. As a boathouse, the proposal would have a direct lake use function for recreation and water-based transport. It would also constitute the development of holiday accommodation to the upper floor within the grounds of an existing hotel in line with Policy 18.

17. It would be externally faced in Lakeland stone with a roof of natural slate which would reflect the local vernacular and the adjacent boathouses. Windows to the flank elevations would be minimal with slate louvres. Whilst the gable of the proposed boathouse would be slightly wider than that of the two adjacent boathouses with rooms above (which also include balconies), it would nonetheless reflect the general styles, design, form and scale of the variety of boathouses that are present along this part of the shoreline.
18. Whilst the boathouse would be constructed within the Storrs Hall grounds, it would be unlikely to be visible in views from Storrs Hall or its lawned areas. Due to the relatively secluded location of the appeal site, its topography and the dense nature of the woodland, views from the woodland would be limited to immediate views. Seen to the far right of the woodland framing Storrs Hall in views from the lake, the proposal would appear as part of the adjacent row of similar boathouses. Located at a much lower level and distinct from Storrs Hall and its planned and landscaped grounds, the proposal would not interrupt views or detract from views of the asset from the lake. The proposal would therefore not result in harm to this part of the setting of Storrs Hall and would maintain the existing character of this part of the shoreline.
19. The boathouse would be unlikely to be prominent in views from the Storrs Temple due to the angle of the shoreline and the wooded nature of the intervening land. Nevertheless, were views possible, these would be in the context of the adjacent, more prominent boathouses along the shoreline. As the landscape character and the setting of the Classical villa and its landscaped surroundings would be unharmed by the appeal proposal, there would be no harm to the OUV or significance of the WHS.
20. Having regard to the existing character of the appeal site and its surroundings, noting that the proposal would involve the construction of a boathouse that would be reflective of those adjacent, I am not convinced that it would result in a significant urbanisation of this setting. Given the extensively wooded nature of the surroundings, and the protected nature of the woodland, I am satisfied that the proposal would also not represent a precedent for further development to the west.
21. For the above reasons, the proposal would not be harmful to the character or appearance of the lakeshore having regard to its location within the Lake District National Park. The proposal would preserve the OUV and significance of the WHS. It would not be harmful to the setting of Storrs Hall and the Storrs Temple and would therefore preserve their special interest and significance. Consequently, I do not find any conflict with Section 66(1) of the Act.
22. On this basis the proposal would comply with Policies 01, 05, 06 and 07 of the LP which together seek to ensure proposals conserve and enhance the National Park's special qualities, achieve design excellence, and protect the National Park's spectacular landscape whilst preserving cultural heritage and ensuring that heritage assets are conserved in a manner appropriate to their significance.
23. There would also be compliance with Policies 18 and 24 of the LP, described above. Similarly, the proposal would comply with the provisions of the Framework which seek to conserve and enhance heritage assets and conserve and enhance the landscape and scenic beauty and the cultural heritage of National Parks.

24. In finding no harm to the significance of designated heritage assets, the requirement to undertake a heritage balance as set out in the Framework is not engaged.

Conditions

25. I have had regard to the conditions suggested by the National Park Authority and considered them against the tests in the Framework and the advice in the Planning Practice Guidance, making such amendments as necessary to comply with those documents. In addition to conditions requiring commencement with the standard statutory periods, I have attached a condition specifying the approved plans. Having regard to the sensitive location of the development, a method statement requiring details of the construction of the jetty is necessary in the interests of minimising the risk of pollution. Conditions relating to the use of stone and slate are necessary in the interests of ensuring the external treatment reflects that of the nearby boathouses in order to preserve the character and appearance of the area.
26. I have amended the Council's suggested condition relating to the implementation of the landscaping scheme in the interests of clarity and to ensure that it is sufficiently precise. This condition is necessary to ensure that the landscaping scheme is implemented in a reasonable timescale to allow the development to assimilate into its surroundings. Noting the support in the Framework for renewable and low carbon energy and its role in cutting greenhouse gas emissions, a condition requiring the installation of the air source heat pump detailed in the Energy Statement, prior to first use, is necessary. A condition securing the mitigation set out in the Preliminary Ecological Appraisal is necessary in the interests of conserving biodiversity.

Other Matters

27. Windermere and Bowness Town Council has referred to previous decisions refusing planning permission for boathouses along the shoreline. However, I have not been provided with copies or details of these refusals which limits the weight I can give to this matter.

Conclusion

28. The proposed development would not conflict with the development plan. There are no material considerations which indicate that the decision should be made other than in accordance with the development plan. Therefore, for the reasons given and subject to conditions, I conclude that the appeal should be allowed.

Paul Martinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: L3974 01 Rev B; L3974 02 Rev B; L3974 03 Rev C; L3974 04 Rev B; L3974 06; Document Reference TC/FRA&DS/L10993/22/01 - Flood Risk Assessment; Arboricultural Impact Assessment; Energy Statement; Construction Method Statement.
- 3) No work shall commence on the construction of the jetty hereby approved, until details including materials, finish and a construction method statement have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter works shall take place in accordance with the approved details. The method statement shall provide for:
 - i) construction of the jetty;
 - ii) details of any bank modifications or temporary works;
 - iii) fuel storage;
 - iv) treatments to be used on the jetty;
 - v) storage and delivery of materials;
 - vi) silt movement;
 - vii) invasive species;
 - viii) protection measures to prevent pollution outputs to protected waters.
- 4) Prior to the first use of the development hereby permitted, the air source heat pump shall be installed in accordance with the approved plans and Energy Statement.
- 5) The external walls of the building hereby permitted shall be faced in natural stone of a type to match (in terms of size, method of laying, pointing and jointing details) the appearance, character, colour and texture of the existing boathouse at Bella Naust.
- 6) The roof of the building hereby permitted shall be covered and maintained in local slates which have been mined or quarried in Cumbria. Such slates shall be riven not sawn, and shall be laid in diminishing courses from eaves to ridge.
- 7) The development hereby permitted shall not be undertaken other than strictly in accordance with the mitigation and compensation strategy detailed in Section 7 of the Preliminary Ecological Appraisal by Envirotech dated March 2023 (Reference 8434).
- 8) All planting, seeding or turfing comprised in the approved details shown on Drawing L3794 06 - Proposed Hard and Soft Landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the guest accommodation or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die,

are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

END OF SCHEDULE