



Appeal Decision

Site visit made on 19 December 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 February 2025

Appeal Ref: APP/Q9495/W/24/3353377

Bordriggs Farm, Kendal Road, Bowness-on-Windermere LA23 3HU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Grant Smith (Bordriggs Farm Windermere Ltd) against the decision of Lake District National Park Authority.
 - The application Ref 7/2024/5076 dated 8 February 2024 was refused by notice dated 4 June 2024.
 - The development proposed is the erection of up to 5 no. dwellings with associated infrastructure and ancillary facilities in outline with access defined.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with all matters reserved other than access. Nonetheless, the evidence includes an indicative site layout plan showing plots to accommodate five dwellings. It also includes a control parameters plan which broadly accords with the indicative site layout plan which identifies a build zone for the proposed dwellings. In combination, the plans therefore provide a reasonable indication of how the site would be likely to be developed and I have considered the proposal on the basis of the provision of 5no. dwellings.

Main Issues

3. The first main issue is the effect of the proposal on the setting of the Grade II listed Bordriggs Farmhouse with attached farm buildings and separate barn to south (Bordriggs Farm). The second is the effect of the proposal on the English Lake District World Heritage site (WHS).

Reasons

4. Bordriggs Farm sits adjacent to Kendal Road to the south of the main body of Bowness-on-Windermere where the land begins to open out. Although there are some properties to the north and east, the farm, which does not appear to have remained in agricultural use, retains open land to its elevations away from Kendal Road affording the buildings a particularly open setting.
5. As a result of that open land, Bordriggs Farm is currently experienced within a peaceful and pastoral setting, as it has always likely to have been. The land also aids the historical understanding of the buildings as part of a farm grouping. The

open land surrounding Bordriggs Farm therefore contributes positively to its setting and therefore significance. That positive contribution would be substantially undermined through the provision of residential dwellings and the associated built form on the site in the manner proposed. The scheme would therefore cause significant harm to the setting and therefore the significance of Bordriggs Farm.

6. The control parameters plan shows that the open land to the north of Bordriggs Farm would be kept, forming a retained/enhanced landscape area and that there are proposals to limit the height of the dwellings. However, much of the open land within the proposed build zone can be clearly viewed from public vantage points on Kendal Road which is elevated in comparison to the appeal site. Omitting those areas from the scheme or limiting the height of the dwellings would not absolve the scheme of the harm that is identified above. I am required to have special regard to the desirability of preserving the setting of a listed building.
7. The Outstanding Universal Value of the WHS is amongst other things based on the attribute of a landscape of exceptional beauty, shaped by a distinctive and persistent system of agro-pastoral agriculture which give it its special character¹. Bordriggs Farm and its open surrounding land therefore contribute positively to the significance of the WHS. The proposal, through development of that open land which would erode the setting of Bordriggs Farm would subsequently cause significant harm to the heritage significance of the WHS.
8. The proposal would therefore conflict with policies 01, 02, 05, 06 and 07 of the Lake District National Park Local Plan (2021) which amongst other things require well designed proposals that protect heritage assets and that the extraordinary harmony and beauty of the Lake District landscape and its special qualities, including the attributes of outstanding universal value, will be conserved and enhanced.
9. The heritage harms would be less than substantial and the Framework² requires that these harms be weighed against the public benefits of the proposal.
10. The appellant identifies a need for local occupancy housing which could be delivered to suit the greatest need in terms of type at this windfall site in a rural service centre. The site could be enhanced to provide increased biodiversity. There would be local economic and social benefits. These could all be provided on a site within walking distance of the good range of services and facilities available within Bowness-on-Windermere.
11. However, the public benefits associated with the scheme would not outweigh the harm that would arise to two designated heritage assets.
12. The appeal site would contribute towards housing supply and there is the potential for the site to provide plots for self-build and custom housing for which there appears to be a need, although it would be difficult to secure that type of housing in the absence of a planning agreement or unilateral undertaking, neither of which are before me. However, this matter, nor any increased housing need within Westmorland and Furness arising from changes associated with the publication of the revised Framework or changes to the standard method for calculating housing supply lead me to a different conclusion.

¹ The English Lake District (United Kingdom of Great Britain and Northern Ireland) Statement of Outstanding Universal Value.

² National Planning Policy Framework 2024.

Other Matters

13. There is nothing to indicate that there are active proposals to plant up the area within the setting of Bordriggs Farm if this development were not to proceed. In any event, a planting scheme would be likely to have a very different resultant appearance to the residential scheme before me. I therefore afford this matter limited weight.
14. I accept that the site would have limited visibility from the west due to the topography and that the density of the development would be likely to be low. These matters however do not alter the harm identified and are afforded limited weight.

Planning Balance and Conclusion

15. The public benefits associated with the scheme would not outweigh the harm that would arise to the significance of the Grade II listed Bordriggs Farm and the WHS.
16. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan with which the proposal would conflict. I therefore conclude that the appeal should be dismissed.

T Burnham

INSPECTOR