



Appeal Decision

Site visit made on 27 June 2025

by J Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2025

Appeal A: APP/C9499/D/25/3365589

Old Hall, Stackhouse Lane, Stackhouse, Giggleswick BD24 0DN

- 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 Stewart Crabtree against the decision of Yorkshire Dales National Park Authority.
 - The application Ref is C/31/655J.
 - The development proposed is the construction of a subterranean detached domestic garage in the garden to the west of the property and to reconstruct existing outbuilding to provide biomass pellet store and boiler room. Formation of new gated access in the existing boundary wall and creation of parking and turning area in front of the garage, with the garden planting and grassed terraces reformed over the roof of the new subterranean garage.
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Appeal B: APP/C9499/Y/24/3353433

Old Hall, Stackhouse Lane, Stackhouse, Giggleswick BD24 0DN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Stewart Crabtree against the decision of Yorkshire Dales National Park Authority.
 - The application Ref is C/31/655H/LB.
 - The works proposed are the construction of a subterranean detached domestic garage in the garden to the west of the property and to reconstruct existing outbuilding to provide a biomass pellet store and boiler room. Formation of new gated access in the existing boundary wall and creation of parking and turning area in front of the garage, with the garden planting and grassed terraces reformed over the roof of the new subterranean garage.
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Decisions

1. Appeal A is dismissed.
2. Appeal B is dismissed.

Preliminary Matter

3. In determining these appeals I have had special regard to section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue in both cases is the effect of the proposed development on the character and appearance of the area and whether the proposal would preserve the setting of the Grade II listed the Old Hall.

Reasons

5. The proposal seeks to construct a detached garage in the garden of the Old Hall, a Grade II listed property, and rebuild an existing dilapidated outbuilding to provide a biomass pellet store and boiler room. The garage would be largely subterranean.
6. Stackhouse is a hamlet set to the north of the town of Settle, within the Yorkshire Dales National Park. The settlement largely consists of some ribbon development along Stackhouse Lane, with development set back from the lane to the west. The Old Hall lies within such development. The hamlet is set into a reasonably narrow valley, and the land rises steeply to the west. The character of the area within the nationally designated landscape of the National Park is defined by the largely stone buildings and walls, interspersed with more functional agricultural buildings, all set within the dramatic landscape of the Dales. The character of the area is enhanced considerably by mature trees and green fields.
7. Old Hall is a fairly substantial building, which has a mid-18th century main block with 19th century alterations. The entrance is on the south side of the building, and is set in a gabled projecting porch, with a distinctive decorated lintel dated 1695 below a sash window, decorative shield and lancet window. The walled garden to the property lies to the side and rises sharply. Evidence in the Heritage Assessment¹ suggests that the garden was formal at one point. At the time of my visit the garden was somewhat unkempt and overgrown. Various trees are located within the garden, particularly towards the rear of the plot.
8. The Heritage Assessment notes that the appearance, size and location of the Old Hall indicates that it was a property of considerable local status. I agree with this view and consider that the significance of the heritage asset derives from this status, as well as its age, architectural quality and detailing such as the decorative lintel and southern elevation adjacent to the access track. The walled garden, as the garden to a building of considerable local status, adds to the setting and therefore the significance of the Old Hall and contributes to the character and appearance of the area.
9. The proposed development would involve substantial development works to the garden of the Old Hall. The garage once complete would not cause harm to the setting of the Old Hall; the garden would be reconstructed at very similar levels to its existing height which rises to the west fairly significantly. The only element of the garage which would be visible would largely be the garage door, which at some 13m from the Old Hall and subject to conditions concerning its appearance would cause minimal harm to the setting of the heritage asset.
10. The proposal also seeks the removal of some 5.5m of boundary wall and the creation of a turning/parking area directly adjacent to the Old Hall. The appellant notes that the section of the wall for removal dates from between 1847 and 1894. The removal of a fairly large section of the drystone wall which forms a key part of the historic walled garden, adjacent to the primary southern elevation would cause harm to the curtilage listed wall and the setting of the Old Hall itself. While it would be 'filled' by double gates this new gap in a historic wall would inevitably cause harm both in terms of historic fabric removal and upon the setting of the Old Hall through the creation of a clear breach in its walled garden. 5.5m is still a reasonable width and substantially more than the width of a standard car.

¹ Heritage Assessment, revision B, Groves Architects Ltd, January 7 2025.

11. The trees in the garden are of a height range of between approximately 5 and 24m tall and currently make a positive contribution to the character and appearance of the area, as well as to the setting of the Old Hall. I appreciate that some of the trees are of poor quality, particularly the two Ash trees (category U) and some of the category C trees too. Some thinning out would therefore be appropriate but to lose all of the trees on the site, especially the higher quality T001 and T007 would cause harm to the verdant character and appearance of the area and to the setting of the Old Hall.
12. The appellant proposes to replace the 12 trees with 6 ornamental shrubs and states that additional planting could be incorporated in remaining areas of the garden to the north and west of the proposed garage. While such planting could be conditioned, it would inevitably take time to establish and the mitigation of the removal of 12 trees (of which 8 are stated to have a life expectancy of over 20 years) would not in my view compensate adequately for this loss, at least in the short to medium term. During this time harm to the character and appearance of the area and to the setting of the Old Hall would remain. Furthermore, it is not clear if the mitigation would ultimately involve trees of the same height and stature as those existing given the restrictions on roots that the new garage would cause.
13. Paragraph 212 of the National Planning Policy Framework (the Framework) says when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harmed or lost through alteration or destruction of a heritage asset, or by development within its setting (paragraph 213). For the reasons given above, the harm from the proposed development to the significance of the Old Hall would be less than substantial. Paragraph 215 of the Framework states that this should be weighed against the public benefits of the proposal.
14. The proposal would provide off road parking for a large number of vehicles, with the appellant stating that the garage would provide parking for 8 vehicles and that this would be proportionate to the size of the property. The removal of car parking from the nearby lane and the associated visual clutter associated with such parking would be a benefit of the scheme and would lead to some minor benefits to the setting of the Old Hall and to the general character and appearance of the area, along with benefits to other users of the highway. However, car parking is transitory and will not always be in position, whereas harm to the setting of the heritage asset would be permanent.
15. The biomass boiler would provide an efficient and sustainable heating system for the property, which currently does not benefit from central heating. This would clearly be a public benefit for the property in terms of securing its long-term use. However, I am not convinced that the scheme outlined is the only method of achieving this aim and note that the boiler room and pellet store takes up considerably less than 50% of the overall proposed structure. This reduces the weight I provide to this benefit.
16. Providing level access to the property is largely a private benefit (in conjunction with an existing approved scheme), although does have some minor public benefit in terms of securing the long-term use of the asset. I also note in this respect the provisions of Local Plan policy SP4(f).

17. The removal of the electric pole, overhead wires and electricity service box would provide minor benefits in terms of improving the setting of the heritage asset. However, such street apparatus is commonly seen alongside historic buildings and any harm caused to setting is minor. Access for emergency vehicles to the rear of the property is beneficial but must be taken in context that such access has not existed for the considerable life of the heritage asset.
18. Finally, I am of the view that the reconstruction of the outbuilding and improvements to the garden as part of the scheme would have a beneficial impact on the setting of the Old Hall but consider that such benefits could also be provided in a similar scheme which causes less harm than that before me.
19. I am required to give great weight to the conservation of the heritage asset, with such weight being irrespective of whether any harm amounts to substantial harm, total loss or less than substantial harm to the significance of Old Hall. I do not consider that the harm I have identified would be outweighed by the combined public benefits of the proposal, as set out above, which when considered cumulatively provide relatively minor public benefits.

Conclusion

16. I conclude that the proposal would have an adverse effect on the character and appearance of the area and would not preserve the setting of the Grade II listed the Old Hall. Although I have concluded that the proposed development would cause less than substantial harm to the heritage asset, I do not consider that public benefits of the proposal would outweigh the clear harm caused. As such the proposal would conflict with the Framework.
17. The proposal would also conflict with policies SP1, SP2, SP4, L1, and W3 of the Yorkshire Dales Local Plan (2015-2030)², as well as with the first Statutory Purpose of the National Park (S.5 National Parks and Access to the Countryside Act 1949). In doing so the proposal would also conflict with section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023.
18. When taken together these policies and purpose state that development will be deemed to be unsustainable if it would reduce the diversity, quality and local distinctiveness of the natural and cultural landscape or historic environment special qualities of the National Park, that development proposals should conserve or enhance the architectural and historical character of the site and its setting and that proposals which result in less than substantial harm to a designate heritage asset will only be permitted where it can be demonstrated that the public benefits of the proposal clearly outweigh the loss of significance. If the loss of trees are unavoidable then a scheme of replacement or mitigation will be required that compensate for the loss.
19. I note and recognise the extensive work the appellant has undertaken on Old Hall thus far towards providing a long-term use for the heritage asset. However, for the reasons given above, and having regard to all other matters raised, I conclude that the appeals should be dismissed.

J Hockley INSPECTOR

² Adopted 20 December 2016