



Appeal Decision

Site visit made on 17 October 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 October 2025

Appeal Ref: APP/Q9495/D/25/3367536

How Beck, Broadgate, Grasmere, Westmorland and Furness LA22 9RH

- 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 Ian and Mrs Jennie Denton against the decision of the Lake District National Park Authority.
 - The application Ref is 7/2024/5633.
 - The development proposed is refurbishment and first floor extension to an existing dwelling, removal of an existing conservatory, a new detached annex within the garden and associated driveway improvements.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The various documents and plans before me identify the host property as both 'How Beck' and 'Howbeck'. Since it matches the name provided at the site's access, I have referred to it as 'How Beck' in my decision.
3. Since the appeal site is within the Lake District National Park (the NP), Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended) places a statutory duty upon me to seek to further the statutory purposes of the NP. In making my decision, I have had regard to this statutory duty. The appeal site is also within the Grasmere Conservation Area, and listed buildings are located within the area. Therefore, I have also had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main Issues

4. The main issues are:
 - Whether the proposed development would preserve or enhance the character or appearance of the Grasmere Conservation Area; and
 - The effects of the proposed development upon the risks posed by surface water flooding.

Reasons

Grasmere Conservation Area

5. The Grasmere Conservation Area (the CA) is situated within a plain surrounded by high rugged fells which provides for an amphitheatre-like setting. A hallmark of Grasmere is the contrast which can be found between its more natural, verdant or open features, such as its meadows, woodland, the River Rothay and the designed landscape of its larger houses, with the tight-knit and more enclosed character of the town's central areas. Good examples of Lakeland vernacular are on display within the CA, and there is a notable homogeneity among many of the CA's traditional buildings. For these reasons, much of the significance of the CA is derived from its architectural interest.
6. Furthermore, Grasmere is a centre of Wordsworth heritage, and the likes of its hotels provide evidence of the development of tourism in the Lake District. Therefore, the CA also has historic interest.
7. How Beck is a large house. Although it has been extended and altered, owing to the likes of its Lakeland stone walls, slate roof, dormers and wind vane, it is nevertheless a distinctive property and, overall, it exhibits a traditional character. How Beck is noticeably set well back from Broadgate and, since its rear plot is curtailed by steeply rising land, it is instead served by a very spacious front garden.
8. I note that the Grasmere Conservation Area Appraisal and Management Plan (the CAA) does not identify How Beck as a building of special character, its large front garden is not identified as an important green open space nor an area of landscape value, whilst it does not feature within one of the CA's major views outlined by the CAA. Nevertheless, How Beck provides an example of a large, traditionally designed house set within a spacious plot which is very reflective of the CA. The large front garden adds to the overall patchwork of open and verdant spaces within the CA. From both sides of Broadgate, How Beck's front garden is appreciable beside and opposite its access point. Furthermore, in the background to it, the trees straddling the footpath to the north of the appeal site, and which are identified as being important trees within the CAA, can also be appreciated. For these reasons, I find that How Beck positively contributes to the significance of the CA as a whole.
9. In forming these views, I acknowledge that other properties in the area do not share all of these characteristics. For example, developments off Broadgate, such as Broadgate Orchard, are positioned closer to the road and have smaller front gardens. I also observed during my visit that the Rothay Garden Hotel has added ancillary buildings to its gardens. Nevertheless, the distinctive character of How Beck and its positive contribution to the area remains.
10. The Council's reason for refusal, in relation to this main issue, was based solely on the effects of the proposed annex. Other development is also proposed as part of the appeal scheme. This includes the demolition of the existing conservatory extension and a balcony with undercroft parking, the provision of a new upper ground floor extension, a modified driveway and fenestration alterations. These other elements of the proposed development would be appropriately designed, and they would be sympathetic and subordinate to How Beck. Therefore, like the Council, I raise no objection to them.

11. Whilst it would be only single-storey, the proposed annex's accommodation would include 2 bedrooms, a living area and a kitchenette. Consequently, upon completion of the proposed development, a building of considerable footprint and quite significant overall scale would be developed within the front garden. This would harmfully erode the garden's existing sense of openness and, in the roadside views, the new building would disrupt the pleasant, verdant outlook of the garden, and of the trees north of the appeal site by placing a new building in the foreground to them. Furthermore, I find that the siting of a building of the proposed annex's scale would be at odds with, and unsympathetic to, the established characteristic of How Beck being setback so considerably from Broadgate. I note that trees are to be planted which, in time, may assist with softening the effects of the annex. However, these would be likely to take time to mature and, once matured, they would also have the negative consequence of screening views of the garden and the trees near the footpath.
12. For these reasons, the proposed annex would respond unsympathetically to the character and distinctiveness of How Beck to the extent that it would result in the proposed development as a whole harming the CA, failing to preserve its character and appearance.
13. Using the language of the National Planning Policy Framework (the Framework), the harm to the CA as a whole would be less than substantial and, given the proportion of the CA which would be affected, the level of harm to the CA would be low. However, harm would nevertheless arise and, having regard to the relevant statutory duty I set out earlier, this is a matter of considerable importance and weight in my decision.
14. The proposed development would bring with it some public benefits. The development would incorporate some renewable energy technologies, and coupled with the refurbishment and fabric upgrade measures proposed, I expect that improvements to the property's energy efficiency would arise, as asserted by the appellant. This would contribute to the property being more resilient to the effects of climate change, and I am mindful that policy within the Framework strongly advocates energy efficiency and low carbon heating improvements to existing buildings. That said, the precise extent to which the property's energy efficiency credentials would be improved has not been very clearly quantified. Elements of the existing property now in decline would be replaced, which would also improve its durability and long-term performance. I find that these are the most substantive benefits of the proposal, and I attribute to them a moderate amount of weight.
15. In addition, some of the alterations and refurbishments proposed would also bring with them some accommodation, layout and security improvements which, in turn, would result in improved living conditions for the occupiers of How Beck and neighbouring residents in some regards. However, these benefits would only be modest. The appellant also asserts that the proposal's planting would result in some landscape enhancements and, consequently, biodiversity betterments. However, the detail before me that this would be the case is limited and, again, any benefit derived would be modest.
16. Overall, public benefits would arise from the proposal but, taken together, they would not be sufficient to outweigh the harm identified to the character and appearance of the CA.

17. Therefore, for the reasons I have set out, the proposed development would fail to preserve or enhance the character and appearance of the CA. As a result, the proposal conflicts with Policies 06 and 07 of the Lake District National Park Local Plan 2020-2035 (the LP). Together, in summary and amongst other matters, these Policies seek to ensure that developments achieve design excellence, including by contributing to local distinctiveness and reinforcing local character, and seek to conserve and enhance the significance of heritage assets.

Flood Risk

18. Amongst the evidence before me, is an extract from the Environment Agency's Surface Water Flood Map and an overlay of it onto the proposed site plan. This depicts that the proposed annex would be sited within an area the subject of a low risk of surface water flooding rather than within a medium-risk or high-risk area. However, I am mindful that caution must be exercised when using the Environment Agency's Surface Water Flood Map in respect of small parcels of land or individual buildings.
19. That said, the portion of How Beck's front garden identified as being at medium and high-risk of surface water flooding coincides with lower-lying land on the site, which the topographical information in the submitted flood risk assessment indicates is approximately 70–71m AOD. The garden rises farther west, toward the house itself. Therefore, the site's topography suggests to me that the Surface Water Flood Map's indication of where within the site surface water flooding is most and least likely is accurate, and I have no compelling evidence before me to the contrary.
20. The proposed annex would be sited on the western half of the garden. Based on the evidence before me, this leads me to conclude that the annex is proposed to be located within a part of the site the subject of the lowest surface water flood risk rather than those areas more susceptible to it. Furthermore, the submitted flood risk assessment sets out that the finished floor level of the annex would be set at 73m AOD. Setting the floor level at this height would reduce the likelihood of the annex being affected by surface water flooding.
21. Since the annex would be introduced onto the currently open garden, the flow of surface water over the land could potentially be affected by it. However, I have no substantive evidence that the annex would be likely to cause any deflection or constriction of any water flow routes such that it would increase the flood risk to neighbouring land and property. Furthermore, had I been minded to allow the appeal, I could have imposed a condition to resolve the detail of the drainage system to serve the development having regard to the surface water disposal hierarchy. This would enable particular drainage measures to be deployed, as necessary, to ensure that surface water is discharged at a controlled rate and, as required, attenuated.
22. Since the annex is proposed on the basis that it would provide additional accommodation associated with How Beck, in the event that a serious surface water flood event occurred, How Beck itself could provide refuge. Furthermore, the appeal site benefits from more than one means of egress off-site. Therefore, these are facets of the appeal site and the development which would assist in managing residual flood risks.

23. Therefore, in conclusion on this main issue, I find that the proposed annex has been directed away from those parts of the site at the higher risk of surface water flooding whilst measures have been incorporated into the design, and could further be required and controlled via the imposition of a condition, which would ensure that the development is sufficiently flood resistant and resilient to the level and nature of the flood risk. I have no substantive evidence before me which leads me to the conclusion that flood risk would be increased off-site as a result of the proposal either.
24. Therefore, I find that no increase in the risks posed by surface water flooding would arise as a result of the proposed development. The proposal is therefore compliant with Policy 03 of the LP. This Policy seeks to increase the resilience of the Lake District to all types of flood events, supports those developments which accord with the approach to managing flood risk set out within the Framework and the Planning Practice Guidance, and seeks to ensure that surface water is discharged in accordance with the surface water hierarchy. I also find that the proposal complies with the Framework's content on flood risk, including those policies which set out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, and which seek to ensure that developments do not increase flood risk elsewhere.

Other Matters

25. I set out earlier that a statutory duty applies since the appeal site is located within the NP. The NP has the highest status of protection in relation to landscape and scenic beauty. The NP's special qualities include its dramatic landscape of high fells and a mosaic of lakes, tarns rivers and coastline, its wealth of habitats and wildlife, its farming and tourism heritage, and its distinctive settlement character. The Lake District is also designated as a World Heritage Site (WHS). The WHS is a designated heritage asset of the highest significance, internationally recognised as being of outstanding universal value (OUV). The OUV of the WHS is based upon a series of its landscape attributes, which are grouped under 3 themes: a landscape of exceptional beauty, shaped by persistent and distinctive agro-pastoral traditions and local industry; a landscape which has inspired artistic and literary movements; and a landscape which has been the catalyst for key developments in the national and international protection of landscapes.
26. The Council has not set out that the proposed development would cause any harm to either the NP or the WHS. Having regard to the nature and extent of the proposal in relation to the expansiveness of these designated areas, I have no reason to disagree. I consider that it would have a neutral effect on the NP, including conserving its natural beauty, whilst no harm upon the OUV or significance of the WHS would result either. Nevertheless, a lack of harm in these regards is a neutral factor in my decision and does not weigh in favour of the appeal proposal.
27. The grade II listed Dockray Cottage is located south of the appeal site and closer to the centre of Grasmere. The principal significance of this listed building is derived from its architecture, and the evidence it provides of the development of traditional cottages within the Lake District. The open land to its surrounds provides it with a pleasant setting and allows the cottage to be readily appreciated. The appeal site benefits from a considerable separation from the listed building and the open land which provides it with a pleasant setting. Owing to this

separation, and the scale of the proposed development, no harm to the listed building's architectural interest would result whilst the evidence it provides of traditional cottages would be unaffected. No harm to the listed building's special features of interest or setting would therefore result.

28. The Grasmere War Memorial is another grade II listed building. It has historical significance as it commemorates members of the local community who lost their lives at war. It also exhibits architectural interest due to its ornate design features. Sited beside open land and trees, it has a pleasant setting, and it is accessible so that the public can appreciate it. The appeal site is very well-separated from the memorial with landscaping and buildings on the intervening land. Consequently, the proposal would have no effect upon its architectural significance, and its historic significance would also be unaffected. No harm to the designated heritage asset would therefore result.
29. Finally, the Swan Hotel is another grade II listed building within the local area. It is an old coaching inn and as such it has historical value, providing an example of a traditional Lakeland inn. Its traditional architectural detailing also contributes to its significance. It is viewed against the backdrop of high fells, which provides it with a scenic setting. Again, the proposed development is too distant from the listed building to have any effect upon it, and its historical value as an inn would also be conserved. Therefore, none of these listed buildings would be harmed by the proposal, but an absence of harm is a neutral factor in my determination.

Conclusion

30. In my second main issue, I have identified that the proposal would not result in an increase in the risks posed by surface water flooding and that it complies with Policy 03 of the LP as a result. However, in my first main issue I have identified harm to a designated heritage asset and conflict with other LP policies. Overall, I find that the proposal conflicts with the development plan taken as a whole. There are no material considerations of sufficient weight to indicate a decision other than one in accordance with the development plan should be made. Therefore, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR