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## Appeal Decision

Site visit made on 31 January 2017

**by Elaine Gray MA(Hons) MSc IHBC**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 15 February 2017**

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**Appeal Ref: APP/Z0923/W/16/3162328**  
**Nethercroft, Nethertown CA22 2UJ**

- 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 Jordan Davis against the decision of Copeland Borough Council.
  - The application Ref 4/16/2289/OF1, dated 17 August 2016, was refused by notice dated 12 October 2016.
  - The development proposed is replace existing single storey dwelling with new two storey dwelling.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

### Reasons

3. The appeal site at Nethercroft is located within a predominantly residential area on the western edge of the settlement of Nethertown, close to the coast. The proposal would replace the existing single storey dwelling with a new two storey dwelling.
  4. The existing building is typical of the coastal holiday dwellings which characterise the area. It is a simple structure of a rectangular plan form with white rendered walls and pitched roof covered in grey tiles. By contrast, the new dwelling would be of a mono-pitched form. I accept that this is also a simple form, but it would be out of character with the double pitched roofs which are prevalent in the area.
  5. The proposed materials, which would combine vertical timber boarding with a turf roof, would also depart from the materials typical of the surroundings. I note the proposed use of local stone for the boundary walls. However, local stone is not a feature of the area, as the pioneering style which characterises the holiday homes departs notably from the local vernacular materials.
  6. Nethercroft is situated on higher land accessed by a private road to the south-west. I noted on my site visit that this higher ground is occupied by single storey dwellings, whereas two storey buildings become prevalent on the lower ground to south and east. Whilst I do not have before me a contextual
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drawing showing the comparative height of the nearby buildings, I am concerned that the proposed additional 2m in height would be an abrupt jump in scale. The proposal would thus appear incongruous in a location where the neighbouring buildings are fairly consistent in height, and reflect the topography of the land.

7. I agree that Nethertown features a mix of architectural styles and approaches, and my attention has been drawn to the contemporary design interventions at the nearby Isle View. However, the full details of the planning history of that property are not before me, and so I cannot be certain that that case represents a direct parallel to the appeal scheme. In any case, I have considered the appeal proposal on its own merits.
8. I acknowledge that there are many examples of contemporary design in rural locations, such as the example cited by the appellant on the Isle of Skye. I consider that the proposed design in itself is not without merit. However, in this particular case, the development would fail to harmonise with its setting, would appear out of context, and would depart radically from the prevailing local character in terms of scale, form and materials. As a result, it would unacceptably harm the character and appearance of the area. It would thus conflict with Policy DM16 of the Copeland Local Plan 2013-2028 (LP, December 2013), which sets out criteria for replacement dwellings in the countryside. It would also conflict with the National Planning Policy Framework, which requires development to respond to local character and history.
9. The appellant argues that LP Policy DM16 is at odds with the NPPF. However, it is broadly consistent with paragraph 17 the NPPF, which seeks to recognise the intrinsic character and beauty of the countryside. In addition, the scale and character of the replacement dwelling are pertinent factors in the appeal. I accept that, in not developing more than 50% of the existing undeveloped land around the property, the proposal would reflect the requirements of LP Policy DM18. However, that policy relates to extensions, and so is not directly relevant to this case.
10. I note that the new dwelling would be energy efficient and would incorporate sustainable features such as solar panels, but this would not be sufficient to overcome the concerns regarding the overall acceptability of the scheme. I have also had regard to the letter of support which has been received in respect of the proposal, but this has not led me to a different conclusion on the main issue.
11. For the reasons above, and taking all other matters into consideration, I conclude that the appeal should be dismissed.

*Elaine Gray*

INSPECTOR