



Appeal Decision

Site visit made on 23 June 2020

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 July 2020

Appeal Ref: APP/G0908/W/19/3240065

Pt Field, Craggs Road, Great Broughton, Cockermouth CA13 0XW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr J Fletcher against the decision of Allerdale Borough Council.
 - The application Ref PIP/2019/0002, dated 18 March 2019, was refused by notice dated 30 April 2019.
 - The development proposed is residential development.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal proposal is for permission in principle. As explained by the Planning Practice Guidance (PPG) this consent route has two stages. The first stage establishes whether the location of the site, its proposed use and the amount of development, would be acceptable in principle. The second stage, the technical details consent, is where the detailed development proposals are assessed. The appeal proposal is at the first stage and, therefore, I have considered the principle of the scheme.
3. In respect of residential development, an applicant can apply for permission in principle for a range of dwellings by expressing a minimum and a maximum number of net dwellings as part of the application. In this instance, permission in principle has been sought for the erection of a maximum of four dwellings and a minimum of one. For the avoidance of doubt, I have determined the appeal on that basis, having regard to the relevant parts of the PPG.
4. I am aware that the Inspector's Report for the Allerdale Local Plan (Part 2) was issued on 9 January 2020 and therefore after the Council issued its decision notice refusing planning permission. The report confirms that the Inspector has found the Allerdale Local Plan (Part 2) (emerging ALP2) sound, subject to the modifications that the Council has already published for consultation. This plan is therefore at an advanced stage of preparation and its adoption is expected imminently. As such, it can be given substantial weight. The parties have had the opportunity to comment on the implications of this during the appeal proceedings and therefore I am satisfied that no interested party would be prejudiced by this approach.

Main Issues

5. The main issues are:

- Whether the proposal would provide a suitable location for housing, having regard to the development strategy for the area and accessibility to services and facilities; and,
- The effect of the proposal on the character and appearance of the surrounding area, with particular regard to the setting of Broughton High Bridge, a grade II listed building.

Reasons

Suitable location for housing

6. The appeal is an undeveloped parcel of agricultural land situated on the southern side of Craggs Road and adjacent to the settlement of Great and Little Broughton. To the north and east the site boundaries are marked by a mature hedgerow with the western and southern boundaries being open as part of the remaining field. The site enjoys an elevated position with the land sloping down in a southerly direction towards the River Derwent.
7. The Council's spatial strategy for growth and development is outlined in Policy S3 of the Allerdale Local Plan (Part 1) (the ALP1). This sets out a hierarchical approach to development with the majority of growth directed to Workington, as the Principle Centre, together with other key and local service centres. Outside of defined settlements development is limited to specific types which are listed in criteria a. to j. of the policy, for example, housing for rural workers, agricultural diversification schemes, replacement dwellings, etc.
8. The settlement of Great and Little Broughton (collectively referred to as Broughton within the ALP1) is identified as a Local Service Centre where some limited housing growth will be supported. The parties are in agreement that the site falls outside of the settlement limit defined by the Allerdale Local Plan Settlement Limits 1999 (ALPSL) and no evidence is put forward to argue that the proposal would comply with the specific criteria set out in a. to j. of ALP1 Policy S3.
9. Whilst the parties consider that the ALPSL are out of date, I am advised by the Council that the emerging ALP2 makes only minor revisions to the settlement limit for Great and Little Broughton. Having reviewed this, I can see that the appeal site would continue to lie outside of the revised settlement limit for the purposes of ALP1 Policy S3. Furthermore, the settlement limit, as put forward as a main modification to the emerging ALP2, has been consulted upon and found sound as part of the local plan examination process. I therefore attribute substantial weight to the revised settlement limit as part of the emerging ALP2. Consequently, the proposal would not accord with Policy S3 of the ALP1, as it lies outside of the settlement of Great and Little Broughton.
10. With regard to the site's accessibility to services and facilities, there are a range of services and facilities found within the village of Great and Little Broughton. These include public houses, a hair salon, a bakery, a convenience store, a hotel, school, church and village hall. The majority of these services are located along Main Street with the most direct pedestrian route from the appeal site being via Craggs Road and Harris Brow into the village.

11. I was able to walk this route during my visit and observed that, from its junction with Meeting House Lane, Craggs Road is a single width narrow rural lane which has no pavements or street lighting. Furthermore, visibility between pedestrians and vehicles is particularly poor at its junction with Harris Brow where traffic is more frequent and appeared to be traveling at greater speed. For these reasons, the use of the lane by the future occupiers of the proposed residential development would not provide a convenient or safe route for pedestrians or cyclists to access the services within the village, particularly during winter months, when daylight hours are limited, or during periods of inclement weather. A lack of any recorded highway incidents does not automatically mean that this is a safe and convenient route and is not a justification for increasing the use of this lane.
12. My attention has been drawn to two other alternative pedestrian routes into the village, leading north via Meeting House Lane. However, I could see that both of these alternative routes are significantly longer. Vehicular and pedestrian traffic are likely to favour the shortest and most direct route between the appeal site and the services in the village, which is via Craggs Road. Therefore, these alternative routes would not be a convenient alternative for future occupiers of the property to access local services.
13. I accept that the site is located within close proximity of a bus stop and close to the local cycle network. But I have been provided with little evidence to demonstrate that this would provide a suitable alternative means of transport to the use of the private motor car to access local services.
14. As such, even when recognising the transport differences between urban and rural areas, the future occupiers of the development would be heavily reliant on the use of the private motor car to access day to day services and facilities. Such a lack of accessibility by means of transport other than the private car weighs significantly against the proposal and is contrary to the sustainable transport aims set out in the National Planning Policy Framework (the Framework).
15. For these reasons, I conclude that the proposal would not provide a suitable location for housing, having regard to the development strategy for the area and accessibility to services and facilities. This would be contrary to Policies S1, S2, S3, S5 and S22 of the ALP1 and the associated provisions of the Framework which together seek to achieve sustainable development that is appropriately located with good access to services and facilities, reducing the need to travel using private motor vehicles.

Character and appearance

16. The site is located on a hillside approximately 250 metres north of Broughton High Bridge, a grade II listed building. It is therefore incumbent upon me to pay special attention to the desirability of preserving the setting of this designated heritage asset in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
17. Broughton High Bridge is a substantial structure constructed from local sandstone and comprising three large segmental arches which span the River Derwent. Its historical and architectural interest is amplified by its rural setting that provides a patchwork of undeveloped agricultural fields that frame the structure, flanking each side of the Derwent valley. Views of the bridge and its

rural landscape setting are appreciated from footpaths on either side of the river corridor and in particular when traveling by road on the southern approach to the bridge.

18. The undeveloped nature of the appeal site makes a significant positive contribution to the intrinsic rural character of the surrounding area, including the setting of the listed building. In addition, the absence of built form reinforces the rural character and setting of the village which contributes to the local distinctiveness of the settlement.
19. Whilst I acknowledge that this is a permission in principle application, where technical details would be agreed at a later stage, the proposal would nonetheless introduce built form onto an elevated site, which would appear prominent within the rural landscape. I am not convinced that the alignment of existing mature trees or the introduction of a landscaping scheme would reduce its visual prominence. Indeed, I am mindful that landscaping ought to be used to complement good design and not as a means to conceal inappropriate development.
20. Furthermore, given that development is currently limited to the northern side of Craggs Road, the proposal would appear as a harmful encroachment into the countryside that would erode its rural character and be at odds with the existing pattern of development. In doing so, this would also harmfully diminish the rural landscape setting of Broughton High Bridge.
21. In terms of the Framework, the harm to the setting of the listed building would be 'less than substantial' and it is therefore incumbent upon me to give considerable importance and weight to such harm. The Framework advises that this harm must be weighed against the public benefits of the proposal. Economic and social benefits would stem from the construction and subsequent occupation of the residential development, with future occupiers supporting local services. These benefits are tempered by the limited amount of development that is proposed but, nevertheless, carry moderate weight in favour of the appeal. However, I do not consider that these are sufficient to outweigh the harm to the setting of the listed building. Nor would these benefits outweigh the harm I have identified to the character and appearance of the surrounding area.
22. In principle, I therefore conclude that the introduction of residential development on the site would result in significant and demonstrable harm to the character and appearance of the surrounding area and, in doing so, would also be harmful to the setting of Broughton High Bridge, a grade II listed building. This harm would not be outweighed by public benefits.
23. Consequently, in this regard, the proposal conflicts with Policies S4, S5, S27, S32 and S33 of the ALP1 which, amongst other things, seek to secure development with high standards of design that contributes positively to the character of the area; to protect, maintain or enhance local distinctiveness and landscape character; and, to conserve or enhance the setting of heritage assets. It would also conflict with the provisions of the Framework which recognise the intrinsic character and beauty of the countryside and aim to protect and enhance the natural and built environments.

Other Matters

24. Whilst the appellant considers the tilted balance in favour of sustainable development to be engaged, for the reasons I have set out above and having regard to Footnote 6 of paragraph 11 of the Framework, with respect to heritage assets, it does not apply in this case. Even if I were to consider that the tilted balance was engaged, I find that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. It would not therefore amount to a material consideration that would outweigh the conflicts I have found with the development plan.
25. In support of the appeal, the appellant has referred me to a recent appeal decision¹ for residential development along the southern side of Harris Brow, Great Broughton. In that case the Inspector found no harm to the character and appearance of the surrounding area. However, the site is not comparable to the appeal scheme as its location is quite different to that of the appeal site and that scheme offered a continuation of the existing built form along Harris Brow. It is therefore of little weight in my consideration of this appeal. In any event, I have considered the appeal on its own merits, having particular regard to the spatial characteristics of the site.
26. The appellant has suggested that the proposal would accord with paragraph 84 of the Framework, supporting a prosperous rural economy, on the basis that they are of the view that the site is physically well-related to the existing settlement. However, I have found the site to be physically detached from the settlement and its development, as proposed, would result in a harmful encroachment into the surrounding countryside.

Conclusion

27. For the reasons I have set out, the appeal is dismissed.

J M Tweddle

INSPECTOR

¹ Appeal Ref: App/G0908/W/17/3188592