



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: 2 September 2020

Appeal Ref: APP/G0908/W/19/3240067

Pt Field, Land at Chapel Brow, Bridgefoot, Workington CA14 1XT

- 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/2019/0003, 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. As explained by the Planning Practice Guidance (PPG), permission in principle is an alternative way of obtaining planning permission for housing-led development. It has two stages: the first being 'permission in principle', establishing whether a site is suitable in principle for residential development; the second being 'technical details consent', when detailed development proposals are considered. The appeal proposal is at the first stage and, therefore, I have considered the principle of the scheme with my assessment limited to matters relating to location, land use, and the amount of development proposed.
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. My visit was scheduled as an 'access required site visit', although I was not able to proceed on that basis. However, I was able to consider the main issues based on seeing the site and its surrounding context from public areas and hence my visit was carried out unaccompanied.
5. The Allerdale Local Plan (Part 2) Site Allocations (the ALP2) was adopted by the Council on 22 July 2020. This now forms part of the statutory development plan for the area of Allerdale outside of the Lake District National Park. Accordingly, I sought comments from the parties over the implications of this for the appeal. I have had due regard to the adopted ALP2 and the comments

made by the parties in this regard. In doing so, I am satisfied that no prejudice would occur as a result of this approach.

Main Issue(s)

6. The main issues are:

- Whether the proposal would provide a suitable location for housing, having regard to the development strategy for the area and its effect on the character and appearance of the surrounding area; and,
- Whether the proposal would provide adequate living conditions for future occupants, with particular regard to noise and disturbance.

Reasons

Suitability of the location and character and appearance

7. The appeal site is a rectangular parcel of agricultural land located beyond the settlement boundary of the village of Little Clifton/Bridgefoot. The site forms part of a larger band of undeveloped land that provides a green landscape buffer between the busy A66 public highway to the north and the village of Little Clifton/Bridgefoot to the south. Being surrounded by a mix of mature hedgerows and trees, the undeveloped characteristics of the site makes a positive contribution to the landscape setting of the adjacent village.
8. 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 key and local service centres, including limited growth villages identified for development of an appropriate scale. The Policies Map and accompanying inset maps of the recently adopted ALP2 provide settlement boundaries for all settlements within the hierarchy above the level of 'Infill/Rounding Off Villages'.
9. For the purposes of Policy S3 of the ALP1, the appeal site lies within open countryside outside of any defined settlement. At such locations, the policy limits development to those types specified in criteria a. to j. As a scheme for market led residential development, the proposal does not meet any of the exception criteria. This is not disputed by the appellant. As such, the proposal would conflict with Policy S3 of the ALP1.
10. Despite the proposal being relatively small and compact, the introduction of residential development at this location would be at odds with the existing pattern of development which is generally limited to the southern side of the adjacent public highway, opposite the entrance to the site. As such, the development would not physically connect to or integrate with the built form of the village but would instead stand apart from it. The development would be particularly apparent from the southern approach into the village, appearing as an obvious encroachment into the surrounding countryside. In doing so, the proposal would not relate well to the adjacent village and would harmfully erode its undeveloped landscape setting.
11. While I accept that the site benefits from a degree of existing landscaping that could minimise its visual impact, it is likely that some of this this would be removed to facilitate the development and result in further landscape harm.

12. Accordingly, I conclude that the proposed development would not be a suitable location for housing, having regard to the development strategy for the area and it would have a harmful effect on the character and appearance of the surrounding area. Therefore, it would not accord with policies S3, S4 and S32 of the ALP1. Taken together, amongst other things, these policies seek to manage growth across the borough, ensuring that housing is generally located within defined settlement boundaries and that development is of a high standard of design that responds positively to the character of its location and integrates well with existing development. It would also be contrary to the policies of the National Planning Policy Framework (the Framework) which recognise the intrinsic character and beauty of the countryside and aim to protect and enhance the natural and built environments.

Living conditions

13. The proposed development would be located in close proximity to the A66 which is the main arterial route connecting West Cumbria to the M6 motorway and beyond. In this context the Council is concerned that future occupiers could suffer from unacceptable levels of noise and disturbance, particularly to their outside amenity space.
14. However, it is not uncommon for housing to be located adjacent to main roads or within close proximity to busy transport corridors, with appropriate acoustic measures to mitigate any harmful effects. Furthermore, I have not been provided with any substantive nor compelling evidence to suggest that this issue is insurmountable and therefore could not be suitably addressed at the technical details consent stage.
15. In this regard, I conclude that in principle the proposal could provide acceptable living conditions for future occupants with regard to noise and disturbance. Accordingly, in relation to this main issue, I find no conflict with ALP1 policies S2, S4 and S32 which together seek to achieve sustainable development with a good standard of amenity for future residents. It would therefore also comply with the associated provisions of the Framework.

Other Matters

16. Since the adoption of the ALP2 the Council's housing policies and accompanying settlement boundaries are considered to be up to date. Furthermore, I have not been presented with any evidence to suggest that the Council is unable to demonstrate a five year housing land supply in accordance with the requirements of the Framework. As such, the presumption in favour of sustainable development does not apply and the tilted balance is not engaged.
17. The appellant has questioned the deliverability of a nearby housing site as allocated in the ALP2 and also raises concerns over the Council's alleged reliance on small sites to maintain its five year housing land supply. However, I am mindful that the ALP2, which includes housing allocations, has very recently been subject to examination and has been found sound. Accordingly, I have no substantive evidence to lead me to a different conclusion and therefore this does not lead me away from my decision in this case.
18. I note the appellant's assertions that the appeal site would have good access to local services, is well served by public transport, is adjacent to a cycle route, and it would contribute towards the supply of housing. It would also make a

contribution to maintaining the local rural community. However, these matters do not outweigh the harm I have found in this case and the resulting conflict with the development plan.

Conclusion

19. For the reasons I have set out, and having considered all other matters raised, the appeal is dismissed.

J M Tweddle

INSPECTOR