

Appeal Decision

Site visit made on 9 September 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 September 2020

Appeal Ref: APP/Z0923/W/20/3247478

Pt Field 6805, Lamplugh Cross, Lamplugh, Workington CA14 4SQ

- 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 and Mrs John and Sheila Martin against the decision of Copeland Borough Council.
 - The application Ref 4/19/2262/PIP, dated 15 July 2019, was refused by notice dated 23 August 2019.
 - The development proposed is described as “new residential development”.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. This appeal relates to an application that was made for permission in principle. The Planning Practice Guidance states that the scope of permission in principle is limited to location, land use and amount of development. Accordingly, I have only considered the issues relevant to those “in principle” matters in the determination of this appeal.

Main Issues

3. The main issues are whether the appeal site is suitable for housing having regard to (i) the accessibility of services and facilities and (ii) the character and appearance of the area.

Reasons

Accessibility of services and facilities

4. The appeal site is described as being located within the settlement of Lamplugh village with a scattered community and Civil Parish which has approximately 800 residents.
5. The settlement however, has few services and is detached from other settlements in the area by open countryside. It has been identified that the village has a church, pub and two caravan sites with local store facilities as well as a local bus service. The routes from the appeal site to these services are not desirable walking or cycling routes. There are no footpaths or street lighting with parts of the roads being narrow in places, which is not uncommon in rural locations, but would make it unlikely that occupants of the proposals would walk or cycle to these services.

6. Lamplugh is lacking in community facilities and employment opportunities. These services may be available in nearby towns such as Egremont, Whitehaven, Workington and Cockermouth and it is noted that there is a train station approximately 8 miles away. Nevertheless, the local bus service has been described as being limited and future occupiers of the proposal are more likely to access services in these towns by the use of private motor vehicles.
7. The National Planning Policy Framework (the Framework) does indicate that development may support services in a village nearby. The Framework also recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. It is noted that connectivity to services is similar for existing occupiers of nearby properties and there are schemes including the Rural Wheels programme as well as the rise of use of electric vehicles. However, given the above factors, the proposal would still be likely to result in the majority of journeys being by private motor vehicle, with its associated cumulative effects in terms of emissions and air quality. The small benefits from future occupants of the properties contributing to nearby services would not be outweighed by the reliance on motor vehicles and subsequent negative environmental effects.
8. Accordingly, I find that the appeal site is not suitable for housing having regard to accessibility to services and facilities. The proposal fails to comply with Policies ST1, ST2 and SS3 of the Copeland Local Plan 2013 (CLP), the Interim Housing Policy 2017 (IHP) and the Framework which seeks development to consider economic, social and environmental sustainability and deliver a range and choice of good quality homes.
9. I have had regard to the appellant's statement of case including the development for 26 homes¹. Whilst I do not have full details of that development scheme, there are significant differences with the appeal scheme including the development of a village hall which would benefit the wider community, and I therefore do not consider the schemes to be directly comparable. Nevertheless, I have determined the appeal on its own merits.
10. The appellant indicates that the proposal would provide an opportunity to increase the community bus timetable however, substantial evidence has not been provided to convince me that bus services would be increased as a result of the proposal. It is also indicated that the proposal would not have a significant effect on local road network which is a benefit of the scheme however this would not overcome the harm identified above.

Character and appearance

11. The area immediately surrounding the appeal site is characterised mainly by rural countryside with residential properties of linear form fronting onto the highways.
12. Whilst the proposal is for a permission in principle, an indicative layout has been submitted showing a proposed layout. The layout shows primarily a cul-de-sac of properties with some fronting onto the existing highway. The proposed development would appear as an intrusive built form that would not be in keeping with the existing linear pattern of development which immediately surrounds the site. Due to its layout and positioning, it would be

¹ Local Planning Authority Reference: 4/17/2182

an incongruous form of development that would have a detrimental effect on the landscape character and setting of the Lake District National Park.

13. The proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would not accord with Policies ENV5 and DM10 of the CLP, the IHP and the Framework which seeks development to be of a high standard and for the Borough's landscapes to be protected and enhanced.

Planning Balance

14. The Council have stated that a five year housing land supply cannot be demonstrated and in response to this the Interim Housing Policy 2017 was produced which aimed to encourage sustainable development and boost housing delivery.
15. In terms of the Framework's three overarching objectives, there would be some social benefit in providing additional homes, including affordable and executive homes, which would contribute to housing land supply. There would also be some economic advantages from the occupation of new dwellings. Whilst all contributions have a value, it is noted that those offered by a scheme of this scale would be relatively limited.
16. Good design and protecting the environment are also key aspects of achieving sustainable development. Whilst the proposal would not have a significant effect on the local road network, it would be harmful to the character and appearance of the area and therefore contradicts paragraph 127 a) and c) of the Framework. The proposal would be in an unsuitable location which would likely lead to occupiers making many journeys by private motor vehicle contrary to the promotion of more sustainable forms of transport within the Framework.
17. When taking account of all the above factors, I find that the adverse impacts of granting permission would significantly and demonstrably outweigh the relatively limited benefits, when assessed against the policies in the Framework taken as a whole. The proposed development therefore cannot benefit from the presumption in favour of sustainable development. There are no other material considerations to indicate that the proposal should be determined otherwise than in accordance with the development plan. I have already identified significant conflict with relevant development plan policies including the Interim Housing Policy 2017.

Conclusion

18. I conclude that for the reasons given above, and having regard to all other matters raised, the appeal should be dismissed.

Chris Baxter

INSPECTOR