



Appeal Decision

Site visit made on 11 January 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 January 2022

Appeal Ref: APP/Q9495/W/21/3273412

Doddick Farm, Threlkeld, Keswick, Cumbria CA12 4SY

- 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 G Teasdale against the decision of the Lake District National Park Authority.
 - The application Ref 7/2020/3088, dated 15 July 2020, was refused by notice dated 21 October 2020.
 - The development proposed is the proposed change of use of agricultural land for the siting of holiday chalets (5 no.), revised application for 7/2019/3155.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Authority's decision refers to the Lake District National Park Core Strategy (the CS). This has been superseded by the Lake District National Park Local Plan 2020-2035, adopted 2021 (the Local Plan). The Authority referred to the Local Plan in its statement and identified the policies which it considers the proposed development would conflict with. The appellant has seen the Authority's statement. The Local Plan is not materially different insofar as it is relevant to the main issues. I have referred to the Local Plan in my findings.
3. Some of the groundworks required for the proposed development have been undertaken, including soil removal and altering of levels. I have considered the appeal scheme accordingly.

Main Issues

4. The main issues are the effects of the proposed development on:
 - the character and appearance of the area; and
 - the outstanding universal value (OUV) of the Lake District World Heritage Site (WHS).

Reasons

Character and Appearance

5. The appeal site is an area of what was agricultural land to the east of the group of buildings at Doddick Farm, located in open countryside on the lower slopes of Blencathra just to the north of the A66 and to the north east of Threlkeld. The farm consists of a number of traditional stone and slate buildings and more

modern ones. Operations at the farm have diversified into holiday letting accommodation and residential accommodation for local needs. In terms of holiday accommodation, the appellant confirms that there are six units within barn conversions and three wooden chalets.

6. The proposed development would comprise five holiday chalets sited in a horseshoe arrangement together with parking provision. Three designs are proposed for the chalets. The walls would be timber clad, although one chalet type would be built into sloping land and would have stone facing on its lower-level walls. The chalets would have pitched slate roofs and would provide two and three bedroom accommodation, including in the roof space. Access would be an extension of the track that provides vehicle and pedestrian access to the existing holiday accommodation within the wider site.
7. The proposed development would be separated from the main cluster of buildings at the farm by a relatively small staff amenity building and an adapted vintage fire engine which has been used as holiday accommodation. The submitted information highlights that neither have planning permission and an enforcement notice has been served requiring the removal of the fire engine.
8. The statutory purposes of National Parks are to conserve and enhance the natural beauty, wildlife and cultural heritage of the area, and to promote opportunities for the understanding and enjoyment of the special qualities of those areas by the public. There is also a duty to foster the economic and social well-being of local communities. Paragraph 176 of the National Planning Policy Framework (the Framework) explains that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection in this respect.
9. The Lake District National Park Landscape Character Assessment and Guidelines, revised April 2021 (the LCA) identifies the site as falling on the boundary between landscape character type (LCT) H: Upland Valley and LCT G: Rugged Angular Slate High Fell and within the Glenderamackin Valley Area of Distinctive Character (ADC). The landscape sensitivities of all three areas are identified as high due in part to their intervisibility with other nearby LCTs.
10. Distinctive characteristics of the LCTs include a small-scale settlement pattern, consisting of traditional historic, vernacular hamlets and farmsteads and barns scattered on the rising ground of the lower valley sides and valley heads. Traditional stone and slate buildings are a distinctive part of the landscape fabric although there is a distinctive lack of built structures in the elevated and exposed landscape of the Rugged Angular Slate High Fell LCT. Key sensitivities of the Glenderamackin Valley ADC include strong intervisibility between Blencathra to the north and Threlkeld and Matterdale Commons to the south. The LCA sets out that there is a limited overall capacity to accommodate change in both LCTs without compromising their key characteristics.
11. These characteristics are apparent at the site and surrounding area, with the cluster of traditional farm buildings at Doddick Farm, other scattered farms and buildings in the narrow corridor alongside the A66 at the foot of Blencathra, the exposed slope of Blencathra and the extensive views over the landscape to the south.

12. The LCA sets out that the overall strategy for managing landscape change in the Rugged Angular Slate High Fell LCT is to conserve and enhance the diversity of habitat and species in the high fell and to protect key skylines and views from development. Specific guidelines include the maintenance of a sense of openness, the protection of skylines and key views to and from the area from tall, vertical and large-scale developments that may erode the open and undeveloped character of the area and encouraging broadleaved woodland planting. The overall strategy for managing landscape change in the Upland Valley LCT is to conserve and enhance the distinct pattern of settlement, fields, boundaries, parkland and woods to maintain landscape quality. Specific guidelines include ensuring that the expansion of tourist-related activities does not compromise landscape character and quality and encouraging development proposals which respect or reinforce local vernacular.
13. The proposed development would introduce quite substantial built development onto land where no buildings currently exist. It would have a significant visual presence when viewed from the wider landscape to the north including from the public right of way and public access land on the slopes of Blencathra looking south towards Threlkeld Common. The chalets would appear separate from the existing permitted cluster of buildings at the farm. As such the proposed chalets would not sit comfortably with the existing development pattern. The illumination that would occur, the car parking areas and general activities that would be associated with the chalets would exacerbate this urbanising effect, further eroding the unspoilt qualities of the site. It would therefore not maintain a sense of openness or integrate appropriately with the character and appearance of its surroundings and would introduce further built development into sensitive views from Blencathra.
14. Views from the A66 to the south would be more limited due to the screening effect of the trees on the steep slope between it and the road. Whilst clearer views would be possible when the vegetation is not in leaf, these would be relatively limited as screening would still be afforded.
15. Whilst the boundary planting may be consistent with the strategies for managing landscape change in the LCTs, it would take many years to effectively screen the proposed development including in views from the north. The materials proposed for the chalets would reflect the traditional building materials of stone and slate to a degree, however, this would not adequately mitigate the harm that would be caused.
16. The appellant has highlighted various cases in the vicinity where holiday accommodation has been granted permission. I only have limited details of these.
17. One case related to the three chalets at Doddick Farm¹. The officer report for this proposal set out that the chalets would be of a modest size, close public views would be limited and views from the Fells in particular Blencathra would see the buildings within the context of a large and developed farm group. Another case related to camping pods at a nearby farm². This proposal was considered under a different development plan policy and the officer report stated that the development would relate satisfactorily to the farm group and

¹ Application ref 7/2014/3117

² Application ref 7/2016/3191

would not be intrusive in the landscape. The third case³ was for an extension of an existing touring caravan site and the officer report stated that views of the site from the Fells would be at a considerable distance, the chosen site would sit well related to the existing buildings, and the proposed increase in numbers would not make the existing landscape impact materially worse.

18. The landscape effects of these examples therefore appear to be different from the appeal scheme. As such I cannot draw any direct comparisons that would weigh in its favour.
19. I appreciate the aim of the proposal in providing an additional source of income to the farm. The proposal would generate economic and social benefits and the general principle of the development would accord with local and national policy objectives to support tourism within the National Park and diversification of agricultural businesses. However, by virtue of resulting in an incongruous development within an essentially natural and open site which contributes positively to the landscape character of the National Park, the proposed development would have a harmful effect on its character and appearance and special qualities.
20. National Parks have two purposes and there is a need to achieve a balance between these. However, as set out in Policy 01 of the Local Plan, where there is a conflict between these purposes, greater weight should be attached to the conservation purpose.
21. The proposed development would have a harmful effect on the character and appearance of the area. Consequently, it would conflict with Policy 01 of the Local Plan which seeks to conserve and enhance the extraordinary harmony and beauty of the Lake District landscape and its special qualities. The proposed development would also conflict with Policies 05 and 06 of the Local Plan which, in summary, support development that ensures the highest level of protection is given to the landscape and where the type, design, scale and level of activity maintains local distinctiveness, sense of place, and where appropriate, tranquillity; and require development to reinforce the importance of local character.
22. Although the spatial strategy defined in Policy 02 is supportive of proposals in the open countryside that help sustain an existing business, it still requires proposals to be of a scale and nature appropriate to the character and function of the location in which it is proposed. The proposed development would therefore conflict with this overarching element of Policy 02.
23. The proposed development would also conflict with paragraph 176 of the Framework, as summarised above.

OUV of the Lake District WHS

24. The Lake District is a WHS which is identified in paragraph 200 of the Framework as a heritage asset of the highest significance. The OUV of the WHS is in part attributed to its extraordinary beauty and harmony including the physical natural landscape; the physical cultural landscape in the main the product of agro-pastoralism, settlements and local industry, including

³ Application ref 7/2015/3006

woodlands; and the variety and combination of differing landscape characters and physical attributes of each of the 13 valleys⁴.

25. Given my conclusions on landscape effects above, there would be harm to the OUV of the WHS. As the proposal would affect only a very limited part of the overall landscape, the harm to the OUV of the WHS would be less than substantial. Even so, this harm is of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that the harm should be weighed against the public benefits of the proposal.
26. Public benefit would stem from the provision of holiday accommodation as it would draw in tourists and consequential spending to the National Park and therefore some support to the local economy and employment. Public benefit may also stem from the income that would be generated by the units in supporting traditional farming practices such as stonewalling, hedging and coppicing, although no details have been provided on how the income would be used to sustain the farm operation. Due to the scale of the proposed development, these public benefits would be quite modest and attract commensurate weight.
27. Paragraph 199 of the Framework states that great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Paragraph 200 requires clear and convincing justification for any harm to or loss of significance of a designated heritage asset. Consequently, the harm to the OUV of the WHS attracts very considerable weight against the proposed development. Given the weight that I attach to the public benefits, these would not outweigh the harm that would be caused.
28. Accordingly, the proposed development would conflict with Policy 01 of the Local Plan which seeks to conserve and enhance the attributes of OUV. It would also conflict with Policy 07 of the Local Plan which seeks to conserve and enhance the significance of heritage assets. The proposed development would also conflict with the requirements of chapter 16 of the Framework, the most relevant aims of which are summarised above.

Other Matters

29. I note the comments made about the pre application correspondence. However, in determining this appeal, I am only able to have regard to the planning merits of the case.

Conclusion

30. The proposed development would conflict with the development plan taken as a whole as well as the Framework. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. Therefore, for the reasons given, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR

⁴ Lake District National Park Partnership's Management Plan 2020-2025