



Appeal Decision

Site visit made on 5 April 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 May 2022

Appeal Ref: APP/E0915/W/21/3286925

Chalk Lodge, Cumdivock, Dalston, Carlisle CA5 7JL

- 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 Bowe of Bowe Dairy Farming Ltd against the decision of Carlisle City Council.
 - The application Ref 20/0681, dated 23 September 2020, was refused by notice dated 30 July 2021.
 - The development is roof over existing open silage clamp area.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Works have commenced on the structure and several of the steel portal frames and associated concrete panels and roof covering are in place. Amended plans were submitted during the course of the application. The plans submitted in July 2021 reflect what the Council understood was being constructed and are what its decision was based on. The plans show the ridge height as 13.8m at the western end and around 10.86m at the eastern end due to the sloping internal ground level of the silage clamp.
3. The appellant submitted an amended plan as part of the appeal, and it is requested that I determine it on this basis. The appellant states that this amended plan reflects the height of the structure that has been constructed. It shows a structure with a height of 13.4m at the western end and 11.7m at the eastern end. Although this plan has not been subject to public consultation, the development is not so changed that to consider it would deprive those who should have been consulted on the changed development of the opportunity of such consultation. Furthermore, the Council has considered the amended height in its appeal statement. I have therefore based my decision on this amended plan.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons

5. Chalk Lodge is a large cattle farm located to the south of the small settlement of Cumdivock. The appeal site is an existing silage clamp area located on the edge of the farm complex. The development comprises a roof over the silage

clamp constructed from 18 steel portal frames with concrete panels in between the steel frames up to a height of around 4m. The application was accompanied by a Landscape Appraisal.

6. Policy GI 1 of the Carlisle Local Plan 2015 – 2030, adopted 2016 (the Local Plan) states that proposals will be assessed against the criteria presented within the Cumbria Landscape Character Guidance and Toolkit (the Guidance and Toolkit). According to the evidence before me, the site is within Landscape Character Type (LCT) 5a: Ridge and Valley. Distinctive characteristics of the LCT as described in the Guidance and Toolkit includes a series of ridges and valleys that rises gently towards the limestone fringes of the Lakeland Fells; well managed regular shaped medium to large pasture fields; hedge bound pasture fields dominate, interspersed with native woodland, tree clumps and plantations; scattered farms and linear villages are found along ridges; large scale structures are generally scarce.
7. The descriptions of the sensitive characters or features, vision, changes in the landscape and guidelines for the LCT set out in the Guidance and Toolkit highlight that ridge tops are generally sensitive to inappropriate development. Additionally, open and uninterrupted views from ridge tops to the Lakeland Fells are sensitive to large scale infrastructure development.
8. These characteristics are apparent at the site and surrounding area. The land slopes gently down from the small linear settlement of Cumdivock then upwards to the cluster of farm buildings at Chalk Lodge, which are located in a prominent location towards the edge of the ridge. There are extensive views over the landscape including to the Lakeland Fells, containing views of High Peak and Carrock Fell.
9. The structure is designed for a specific purpose, and it is therefore very large, with a floor area of around 2,558 square metres. The purpose of the structure, which relates to a large operational farm, is not inappropriate to the character of the area which is mainly of a working farmed landscape. The structure is related to the existing farmyard and buildings at Chalk Lodge. However, it is substantially higher than the existing buildings.
10. Views of the structure are relatively limited from the west, south and east due to the screening effect of the topography and vegetation. From the north, the structure is visible from Cumdivock between breaks in the roadside vegetation, and from the unclassified roads to the south from the village to the farm. As a result of its overall height and scale and its location on the ridge edge, the structure is a visually intrusive and incongruous feature when viewed from these locations.
11. The structure also obscures long distance views of the surrounding countryside from certain vantage points in the area. This includes sensitive views towards the Lakeland Fells. The structure sits below the ridgeline of the Fells and when complete, would not completely block views of them. Nevertheless, even though it is only a relatively limited number of vantage points where the structure is viewed against the backdrop of the Fells, its height and scale are such that it is unduly prominent and intrusive. Such views are already interrupted to an extent by the existing buildings at Chalk Lodge. However, the structure is substantially taller than these buildings and is therefore much more noticeable in such views. In addition, it blocks a greater expanse of the

Lakeland Fells, and as such, visually distracts from them more than the existing buildings.

12. The submitted information highlights that permission¹ has now been granted by the Council for an 11m high structure at the site. It may be the case that, in certain circumstances, the landscape and visual effects of a 13.4m high building would not be significantly different to an 11m high one, especially when viewed at a distance. However, in this case, a lower structure would reveal more of the Lakeland Fells and so would not cause the same harm to these sensitive views. In addition, a lower structure would have a more harmonious relationship with the existing buildings at the farm and so would not appear as such an incongruous feature.
13. I appreciate that the aim of the structure is to reduce water pollution by preventing rainfall from entering the silage storage area, and the benefits it provides to the farm operations and for employees. A smaller structure would involve some complexities for the operation of the farm, including potentially an increase in the number of trips by feed wagons with associated environmental and financial impacts. However, there is no substantive evidence before me to indicate that a smaller structure would prevent the farm from operating or would lead to it becoming unviable. Therefore, whilst parts of the Local Plan and the National Planning Policy Framework (the Framework) recognise that agriculture is an important part of the economy, based on the evidence before me, I am not persuaded that there is sufficient justification for siting a structure of this size within what is a sensitive landscape setting, or that the benefits outweigh the harm identified.
14. The landscape and visual impacts of the structure are mainly limited to views from the north. Nevertheless, its prominent location on the ridge edge, together with its very large scale and height, and its effect on the views to the Lakeland Fells are such that it does not respect the landscape character of the area.
15. Consequently, the development significantly harms the character and appearance of the area. As such, it conflicts with the landscape requirements of Policy GI 1 of the Local Plan, the design objectives of Policy EC 12 relating to agricultural buildings and the design principles set out in Policy SP 6, as well as the advice in the Guidance and Toolkit. The development also conflicts with the design objectives of paragraphs 84 and 130 of the Framework and its objectives for conserving and enhancing the natural environment set out in paragraph 174.

Conclusion

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

F Wilkinson

INSPECTOR

¹ Application reference 21/0833