
Appeal Decision

Site visit made on 15 June 2022

by S Brook BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2022

Appeal Ref: APP/E0915/D/22/3296360

Castlegate House, Castle Carrock, Brampton CA8 9LT

- 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 Whitby against the decision of Carlisle City Council.
 - The application Ref 21/1069, dated 17 November 2021, was refused by notice dated 20 January 2022.
 - The development proposed is the erection of a stone wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The stone wall has been erected. Nevertheless, I am determining the appeal based on the plans before me. I have removed the word 'retrospective' from the description above as it does not describe an act of development.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area, including the nearby North Pennines Area of Outstanding Natural Beauty (AONB) designation.

Reasons

4. The appeal scheme relates to a detached dwelling lying at the northern end of a rural village. When approaching the village from the north, houses are set back from the highway with frontages consisting mainly of low stone walls of a simple design with gardens beyond, providing a pleasant and open character. Further into the village, some houses are positioned adjacent to the highway in a more urban manner, with no front boundary treatments. Other houses are set back and have front boundaries consisting mainly of stone walls of simple design and varying height.
5. Land opposite (to the east) and land to the south of the appeal property lies within the North Pennines AONB designation. The appeal site is outside the designated area, whilst the majority of Castle Carrock village lies within it. Noting the duty under section 85 of the Countryside and Rights of Way (CROW) Act, I have had regard to the purpose of conserving and enhancing the natural beauty of AONB which extends to considering the setting, given the close relationship of the site to that important designation.
6. The development has introduced a stone wall with multiple stone piers and curved top infill timber panels and gates to part of the property frontage. This

wall is higher than other boundary walls noted when entering the village from the north, and therefore it detracts from the sense of openness generally apparent elsewhere. It also differs notably in appearance from other walls, with a more elaborate style which is uncharacteristic of boundary walls in the village. The Appellant references other boundary treatments in the village, however at my site visit, I did not see any that were comparable in design to the appeal scheme. Nor would such examples necessarily justify this scheme, given the harm identified. As such, the development appears as a discordant feature, at odds with the prevailing character and appearance of the area, that does not respond to local context. The changes in topography in the immediate locality, including changes in highway levels and gradients, do not mitigate for this suburban impact within a rural area. The development does not achieve a sensitive design within the setting of the North Pennines AONB designation by failing to respond to local character and distinctiveness.

7. I have considered the newness of the wall and its likelihood to weather, as well as the use of local stone. However, these matters do not address the concerns raised above.
8. To conclude on this main issue, the development has a harmful impact upon the character and appearance of the area. This is experienced in views towards and out of, the North Pennines AONB. The development does not comply with Policies HO8 and SP6 of the Carlisle District Local Plan 2015–2030, adopted 2016, which collectively seek to ensure that development is of an appropriate scale and design, that responds to local context, respecting local character and distinctiveness. Nor does it meet the objective of paragraph 176 of the National Planning Policy Framework (NPPF) which requires sensitively designed development within the setting of AONB designations. This would adversely impact upon the setting of the AONB, failing to conserve or enhance the natural beauty of the designated area.

Other Matters

9. I am referred to planning permission (22/0038) which exists for a different design of wall. Whilst there are some common elements, those plans would be substantially different and far more simple in design from the plans I am considering. I do not consider that this planning permission provides any significant weight in favour of this case.
10. I appreciate that for the appellant, the development provides the benefit of increased privacy for a bedroom which is sited close to the road, as well as to parts of their garden which lie at a lower ground level than the road. I observed these conditions at my site visit. However, there is little evidence about what other solutions have been explored.
11. These other matters do not outweigh the harm that I have identified in relation to the main issue.

Conclusion

12. For the reasons outlined above, having had regard to the development plan as a whole and all other matters raised, the appeal should be dismissed.

S Brook INSPECTOR