



Appeal Decision

Site visit made on 2 November 2022

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 23 December 2022

Appeal Ref: APP/E0915/W/22/3302309

Stones, Harker, Carlisle, CA6 4DS

- 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 P Nicholson against the decision of Carlisle City Council.
 - The application Ref 22/0137, dated 19 February 2022, was refused by notice dated 14 April 2022.
 - The development is described as proposed erection of outbuilding forward of principle elevation (retrospective).
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Decision

1. The appeal is allowed and planning permission is granted for proposed erection of outbuilding at Stones, Harker, Carlisle CA6 4DS in accordance with the terms of the application, Ref 22/0137, dated 19 February 2022, subject to the following condition:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing 22-12-01 'Floor plan and elevations'; Drawing 22-12-02 'Location plan'; Drawing 22-12-03 'Block plan'; 'Proposed outbuilding, photographs and floor plan'.

Preliminary Matters

2. The address on the application form includes 'Harker to Rockcliffe crossing the A7'. For clarity, I have removed this from the heading.
3. The description of development, reflected in the heading, indicates that the work has been carried out. I have therefore removed the word 'retrospective' from my formal decision as it is not an act of development.

Main Issue

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

Reasons

5. 'Harker' is a dispersed settlement alongside the A7. The appeal property is located on a road which branches off from the A7 and is set amongst trees and hedges. On the northern side of the road are a number of detached, older houses. Interspersed between these has been the recent construction of a number of new dwellings, which includes 'Stones'. All of these have been built on plots which extend back from the road for some distance and have wide grass verges to the front.

6. The outbuilding has been constructed and is located close to the front boundary of the host property; a detached bungalow that has been built across the width of the rectangular plot of land.
7. Whilst the building is set forward of the front elevation, it has been discretely located in the corner of the site, adjacent to the boundary with the neighbouring property, Old Swinford. The building has a flat roof, which is not particularly high, thereby reducing the prominence of the building in this location. It has been built with materials, including wooden cladding and grey windows and doors, which matches the materials on the host dwelling ensuring that it blends with the design characteristics of the site.
8. The site already has a large, pitched roof garage, now annex, to the front of the bungalow, also found in the adjoining property, Old Swinford. Therefore, between the roadside and the front of the bungalow, the views are already interrupted by a building. Whilst the Council considers that the proposal detracts from the open character of the area, this has already been affected by the construction of a number of garages being built forward of the front elevation of the properties.
9. The proposal, particularly when viewing the building from the east, is hidden by mature trees and hedgerow growing in Old Swinford. The wide grass verge along the road means that the building is set back from the roadside which reduces its visibility. Although the building is higher than the adjoining fence, a hedgerow has been planted to the front of this which over time would further screen the building from views into the site. Therefore, for these reasons the building would not have a harmful effect on the character and appearance of the area. It would accord with Carlisle District Local Plan, 2015-2030, Policies HO8 which requires house extensions to complement the existing building in scale, design, form and materials and to be visually subservient to the main building and Policy SP6 which seeks to secure good design.

Conditions

10. I have considered the conditions with regard to the tests for planning conditions in the National Planning Policy Framework and the Planning Practice Guidance. As the building has been constructed, there is no need for the standard implementation condition, although a condition listing the plans is needed to provide certainty over what has been approved.
11. The Council has suggested a landscaping condition if the appeal was to be allowed. As the building faces onto the drive with a narrow gravel verge, there is no space for landscaping to the front, whilst any landscaping within the lawned area to the front of the garage would also not succeed in screening the building. To the side of the shed, adjacent to the boundary of the plot, there is already a fence and a hedge that has been planted, parts of which have already grown to the height of the fence. As this will continue to grow and screen the shed a landscaping condition is not considered to be relevant.

Conclusion

12. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

M J Francis

INSPECTOR