
Appeal Decision

Site visit made on 18 November 2025

by **C Skelly BA (Hons) MSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 1st December 2025

Appeal Ref: APP/C9499/W/25/3372720

Newlands, High Casterton, Kirby Lonsdale, LA6 2SF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant permission in principle.
 - The appeal is made by Ms L Lodge against the decision of Yorkshire Dales National Park Authority.
 - The application Ref is S/05/8A/PIP.
 - The development proposed is for a single new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent technical details consent application if permission in principle is granted. I have determined the appeal accordingly.
4. In respect of residential development, an applicant can apply for permission in principle for a range of dwellings by expressing a minimum and a maximum number of net dwellings as part of the application. In this instance, permission in principle has been sought for a single dwelling.
5. The appeal includes a layout plan to demonstrate how the site may be developed. I have treated this information as illustrative.
6. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulation 14 (1) and 7 (5) of the EIA Regulations, the Secretary of State directed that the development is not EIA development.

Main Issue

7. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development.

Reasons

8. The appeal site is a grassed area, enclosed by dry stone walling, located to the south of the detached dwelling and garage of Newlands. The site is located along a narrow country lane, without pavements or streetlights which is tightly bound by stone walls and hedges. Following the expansion of the Yorkshire Dales National Park (YDNP) the site is now located within its local planning authority area. The special qualities of the YDNP includes amongst other things its numerous small, attractive villages and hamlets.
9. The appeal site rises slightly to the north where there is a small copse of trees between the site and Newlands. There is a gate which provides access from Newlands to the appeal site. I observed that there was some domestic paraphernalia on the land and it appears to be used as an additional domestic garden area. There is dispute between the main parties as to whether the site has lawful use for this purpose. Nevertheless, there is no lawful development certificate before me to conclusively show the lawfulness of any use of the site.
10. The site also adjoins the golf course and the substantial garden associated with the detached dwelling of Pearset Park. There is a further large gap between this dwelling and other buildings on this side of the road. There are also dwellings to the opposite side of the road to the appeal site, however these are generally set back from the road, in an elevated position within substantial plots. The pattern of development in this part of the village is therefore dispersed and has a more open character than the nucleated parts of the village to the north and south. Whilst the appeal site is separated from the open countryside by the golf course as there are no buildings on this land it retains its open character within the wider countryside setting.
11. Policy CS1.2 of the South Lakeland Core Strategy (2010) (CS) sets out the development strategy for the area and seeks to concentrate development in the District's Principal Service Centres and Key Service Centres. Casterton is defined as a 'rural settlement' in the settlement hierarchy set out in Figure 6. There are no defined development boundaries for this category of settlement, however Policy CS1.2 supports new small-scale infilling and rounding off of development to satisfy local need.
12. The illustrative plan shows one detached dwelling which would broadly follow the existing building line of the two existing dwellings on this side of the road. Whilst the appeal site is located in a gap between two existing dwellings to the north and south, they both sit within large plots and there is a significant gap of approximately 60m between the two. As there is no built form immediately to either side of these dwellings, in my view the appeal site does not comprise a vacant plot within an otherwise built-up street frontage. Whilst there are other dwellings in proximity to the appeal site, they are physically separated by the road and set back from the road frontage and therefore do not read as a group of buildings with an obvious gap in the built form. Therefore, the proposal would not comprise the completion of an incomplete group of buildings which is already partially developed. The proposed development therefore does not comply with Policy CS1.2 of the CS.
13. There is an emerging Local Plan (eLP) which is currently at examination stage and is a material consideration in my determination of this appeal. Policy CS3 of the

eLP states that new development will be limited to a scale that is appropriate to settlement character and function. Casterton is identified in the eLP as a Service Village where new housing development will be permitted on suitable infill and gaps sites within the housing development boundaries. Policy C1 of the eLP also sets out minimum density requirements for new development on infill sites. I have had regard to paragraph 49 of the National Planning Policy Framework (the Framework) which states that local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) ; and c) the degree of consistency of the relevant policies in the emerging plan to the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

14. As part of the development of the eLP a housing development boundary has been established around the settlement of High Casterton. Although this excluded the appeal site at Regulation 19 Stage, an amendment to the boundary to include it has been submitted as a proposed modification (MOD77) by the Council, as it considered that the land forms part of the contained curtilage of property and therefore is part of the settlement footprint. However, this proposed modification has been raised by the Inspector as one of the Matters and Questions, along with other questions regarding the approach to the housing development boundaries, to be considered as part of the Local Plan Examination hearings which are due to commence on 3 December 2025. Furthermore, this proposed modification has not yet been subject to public consultation. Whilst the proposed housing development boundary for Casterton may be altered to include the curtilage of Newlands there is uncertainty to this. Therefore, as the eLP has not yet been adopted and while it appears to be at a well-advanced stage of preparation, I can only attribute limited weight to this emerging policy and the revised boundary.
15. National Parks (NPs) have the highest status of protection in relation to landscape and scenic beauty. The two purposes of NPs 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 NPs by the public. The Levelling-up and Regeneration Act 2023 amended The National Parks and Access to the Countryside Act 1949 to impose a duty to further the statutory purposes of NPs in England. Paragraph 189 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in, amongst other matters, NPs. Notwithstanding that the detailed design of the proposed dwelling is subject to the technical details consent stage, as I have concluded that the proposal is not an appropriate location for development, consequently it would not preserve or enhance the landscape or scenic beauty of the YDNP.
16. I have been referred to planning permissions granted in Casterton village at Greycote and Loftwood, prior to the area becoming part of the YDNP. In both these cases the sites were adjacent to a number of dwellings and in the case of Greycote within a clear group of buildings, which is not the case in this appeal where the site is a considerable gap between only two dwellings on the west side of the road and therefore these cases are not directly comparable. In any case, I have dealt with the appeal on its own merits, based on the evidence before me.

17. For the reasons set out above, the location and land use would, in principle be unacceptable. The development would be contrary to Policies CS1.1 and CS1.2 of the CS, which taken together seek to ensure that new housing development is directed to existing service centres with development in villages restricted to infilling and rounding off. In line with paragraph 189 of the Framework, I give great weight to conserving and enhancing the landscape and scenic beauty of the YDNP.

Other Matters

18. Whilst there have been no objections to the proposal including from the Parish Council, the absence of objection does not in itself render the scheme acceptable.
19. The Council have also raised concerns in relation to highways impact, which would be addressed through the technical details consent stage and therefore I have not considered this matter.

Conclusion

20. The proposal would provide an additional dwelling which would make a minor but nevertheless important contribution to local housing supply. It would also provide some limited economic benefits during construction. However, these limited benefits are not sufficient to outweigh the significant conflict with the development plan when taken as a whole.
21. For the reasons given above, the appeal should be dismissed.

C Skelly

INSPECTOR