

Planning Panel 140421

PLANNING APPEAL DECISION

Lead Officer: Nick Hayhurst – Planning and Place Manager

To inform Members of a recent appeal decision.

Planning Appeal Ref. APP/Z0923/W/20/3259220.

Planning Application Ref. 4/20/2052/PIP.

Location: Land off Arlecdon Parks Road, Frizington, Cumbria. CA26 3XQ.

Proposal: Application For Permission In Principle For Residential Development (Resubmission of Application Ref, 4/19/2022/PIP).

Recommendation: That the decision be noted in the context of the Council's Local Plan Policies and also in relation to performance monitoring.

Resource Implications: Nil.

1.0 Application For Permission in Principle

- 1.1. Planning Application Ref. 4/20/2052/PIP comprised an Application For Permission In Principle.
- 1.2. An Application For Permission In Principle is an alternative way of obtaining planning permission for minor housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.
- 1.3. The permission in principle consent route has two stages: the first stage (or 'permission in principle' stage) establishes whether a site is suitable in-principle only and the second stage (or 'technical details consent' stage) stage is when the detailed development proposals are assessed.

2.0 Supporting Information

- 2.1 On the 12th March 2020, application reference 4/20/2052/PIP was refused under delegated powers by the Planning and Place Manager of Copeland Borough Council for the following reason:

The Application Site comprises undeveloped land to the south of Arlecdon Parks Road that contributes positively to the character of Arlecdon. The proposed development by virtue of its scale and location would be at odds with the prevailing form of development in this area of the settlement. The development would urbanise and

thus erode the rural character of this area of the settlement to its detriment. The development would limit the expansive open views of the Lakeland Foothills and Western Fells beyond, which contribute positively to the character of the area and are important locally. The development is in conflict with the provisions of Policies ST2, ENV5, DM10, DM11, DM12 and DM26 of the Copeland Local Plan 2013-2018 [sic] and Paragraphs 20, 122 and 127 of the National Planning Policy Framework.

- 2.2. An appeal of the decision of Copeland Borough Council was made and has now been dismissed by the Planning Inspectorate.
- 2.3. In considering the merits of the proposed development, the Planning Inspector considered the main issue to be the effect of the proposal on the character and appearance of the surrounding area, having particular regard to the location, proposed land use and the amount of development.

Location

- 2.4. The Planning Inspector states that although the appeal site is located in an open countryside location, it is clearly not an isolated site, being directly opposite the defined settlement boundary for the local centre of Arlecdon/Rowrah.
- 2.5. It is stated that the delivery of between 1 and 9 dwellings would not be inappropriate in scale for local centre of Arlecdon/Rowrah, with the paved and lit footways on both sides of the road allowing easy access to those facilities present within Arlecdon and Rowrah.
- 2.6. It is concluded that although the development is contrary Policy ST2, for the reasons outlined above, the appeal site is not an inappropriate location for residential development and although the Council state that a 5-year housing supply now exists, the proposal would nevertheless boost the supply of homes in line with the NPPF objective.

Land use

- 2.7. The Planning Inspector identifies the strong linear form and character of the settlement. It is stated that the built form is focussed to the north of the settlement with sporadic small numbers of dwellings separated by open fields to the south of the settlement and that the absence of built development to the south provides a pleasant frame to the imposing backdrop provided by the Lakeland Fells.
- 2.8. It is concluded that the residential development of the appeal site would appear incongruous in the context of the prevailing linear pattern of development found along Arlecdon Parks Road and that a residential development of any scale within the range of 1 – 9 dwellings proposed, would result in a form of built development that would be inconsistent with the prevailing character and form of the settlement.

- 2.9. It is also concluded that residential development of the appeal site would significantly and harmfully alter the foreground views and setting of the Lakeland Fells to the east which are noted as being a characteristic of the landscape character and sensitive to development.

Amount

- 2.10. The Planning Inspector identifies that within the range of 1 – 9 dwellings proposed that a lower number of dwelling may be more in keeping with the pattern of development on the southern side of the settlement; however, concludes that such a limitation would not address the harm such a development would cause to the character and appearance of the surrounding area.

Other Matters

- 2.11. The Planning Inspector identifies the issues of highway safety, landscaping, ecological mitigation, drainage and the residential amenity as raised in objections to the application, are not matters that fall within the scope of the Permission in Principle stage.

3.0. Conclusion

- 3.1. The Planning Inspector concludes that the appeal should be dismissed.

Contact Officer: Chris Harrison

Background Papers: Planning Application File Reference 4/20/2052/PIP