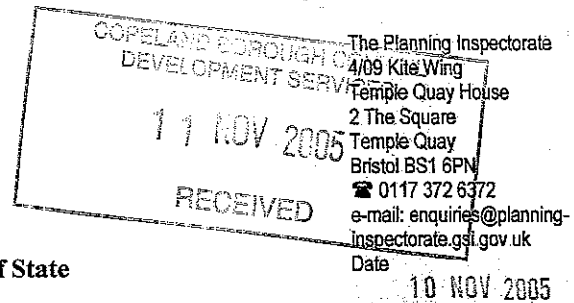


# Appeal Decision

Site visit made on 10 October 2005.

by **Alison Roland** BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State



**Appeal Ref: APP/Z0923/A/05/1186032**

**Site of 5, 6 & 7 Winder Brow, Winder, Near Frizington, Cumbria.**

- 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 Roberta Cooper against the decision of Copeland Borough Council.
- The application Ref: 4/04/2882/0, dated 13 December 2004, for a pair of semi detached cottages, was refused by notice dated 9 February 2005.

## Decision

1. For the reasons given below, I dismiss the appeal.

## Reasons

2. The appeal site is a small fenced area of land at the end of a block of terraced cottages. The cottages along with a few other houses including Prospect House essentially comprise a small, loose knit collection of properties in an isolated rural location.
3. Although the proposed dwellings would occupy a gap between Prospect House and the cottages, they would not appear to me to amount to infill development for two reasons. Firstly, Prospect House is set closer to the road and at a lower level than the cottages such that there is no impression of a built up frontage. Secondly, I consider that the gap between the two is a sizeable one.
4. I am mindful of the appeal decision concerning a dwelling adjoining 12 Skelsceugh Road. However, I do not find that site comparable with the appeal proposal because it stands amidst a much larger grouping of houses with significant frontage development as well as houses on the opposite side of the road.
5. I do not consider that the previous existence of cottages on this site carries any significant weight because the site appears essentially open and there are no obvious remains of the cottages to be seen. I also consider that the previous permission issued in 1987 carries little weight because the policy basis in which that decision was taken has been revised since that time and I must determine the appeal in the light of current policy.
6. New housing in rural areas is catered for under the terms of Policies HSG 5 and HSG 23 of the adopted Local Plan and Policies HSG5 and HSG 12 of the 1st Deposit Version of the emerging plan. However, these require the demonstration of a local need and as no case has been advanced on this basis, I cannot conclude that the requirements of those policies are met.

*Alison Roland*

INSPECTOR