

PLANNING APPEAL DECISION

Lead Officer: John Groves – Head of Nuclear, Energy & Planning

To inform Members of a recent appeal decision in respect of a site at Miners Welfare, Pica.

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 SUPPORTING INFORMATION

1.1 Planning permission to redevelop this site for two dwellings was refused on 18 December 2012 for the following reason:-

"The proposed site is located outside any local centre in an unsustainable location. The Copeland Local Plan policies state that residential development outside designated local centres will not normally be permitted unless it can be shown that it is essential to meet exceptional circumstances arising from local, social or economic conditions which would warrant the granting of planning permission. The Local Planning Authority does not consider that there are any exceptional circumstances in this case which would warrant the erection of an additional dwelling on this site. As a consequence this proposal would be contrary to Policies DEV 3, DEV 5 and HSG 5 of the adopted Copeland Local Plan 2001-2016 and the provisions of the National Planning Policy Framework (March 2012)."

1.2 A subsequent appeal against the decision has been DISMISSED.

1.3 In summing up, the Inspector noted that no exceptional circumstances have been put forward to justify a dwelling in this location which lies outside any settlement deemed suitable for new development in the Local Plan. The Inspector concluded that this would be an unsustainable form of development as the proposal would lead to increased car journeys as future occupants would drive to access the facilities and services they need, and which Pica does not provide, in more distant towns and villages. Consequently the proposal would be contrary to Local Plan policies and the NPPF.

Contact Officer: Nick Hayhurst – Senior Planning Officer

Background Papers: A copy of the Inspector's decision letter is appended.



Appeal Decision

Site visit made on 28 October 2013

by **N McGurk BSc (Hons) MCD MBA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 November 2013

Appeal Ref: **APP/Z0923/A/13/2200062**

Former Miners Welfare Hall, Pica, Workington, CA14 4QD

- 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 Stuart Wilson against the decision of Copeland Borough Council.
 - The application Ref 4/12/2521/OF1, dated 10 October 2012, was refused by notice dated 18 December 2012.
 - The development proposed is to demolish existing hall and construct two new dwellings.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. Planning permission was granted for the conversion of the existing building to form a single dwelling in 2004¹. Outline permission was granted for the replacement of the existing building with a two storey detached dwelling in 2007². This permission was renewed in 2010³.
3. A planning application for the replacement of the existing building with two dwellings was refused in 2009⁴ and dismissed at appeal⁵.
4. In its submission, the Council refers to the policies of its emerging Core Strategy and Development Management Policies DPD⁶. I note that the DPD has undergone examination, that the Inspector's report has been received and adoption is imminent.

Main Issue

5. The main issue in this case is whether the proposal would be consistent with the principles of sustainable development, having regard to current planning policy and guidance.

¹ Ref: 4/04/2642.

² Ref: 4/07/2138.

³ Ref: 4/10/2405.

⁴ Ref: 4/09/2314.

⁵ Ref: APP/Z0923/A/09/2118925.

⁶ Submission Draft (May 2012).

Reasons

6. The appeal property comprises the former Miners Welfare Hall, a single storey building in poor condition, located alongside the main road running through Pica. Pica itself is a small rural community, comprising terraces of housing and a small number of scattered buildings around.
7. Local Plan⁷ policy DEV5 limits new development outside the boundaries of defined key service and local centres to that which is essential for agricultural, forestry or rural business development; to local needs housing, or to replacement dwellings, conversions or extensions. In addition, Local Plan policy HSG5 prevents the development of housing outside identified centres, except where it is required to meet exceptional circumstances arising from local and social conditions. The policies of the DPD retain this focus on major settlements and local centres and continue to restrict development in the countryside. Pica is not designated as a major settlement or a local centre.
8. It is proposed to demolish the existing building and provide two new dwellings. I acknowledge above that the site already benefits from permission for one new dwelling. However, the proposal before me does not meet any of the criteria set out in policy DEV5 and would therefore be in conflict with it. Furthermore, no exceptional circumstances have been put forward, with regard to policy HSG5.
9. During my site visit, I noted that there were no apparent facilities or services in the village. I also noted that Pica is an isolated settlement, located along a country lane some considerable distance to the nearest community with any services of its own. The appellant does point out, in support of the proposal, that Pica is served by a rural bus service, although there is no evidence before me to suggest that this is so frequent and convenient as to enable local residents not to have to rely on private modes of transport.
10. Given the above, I find that the proposal would lead to increased car journeys as future occupiers would drive to access the facilities and services they need, and which Pica does not provide, in more distant towns and villages.
11. Consequently, the proposal would comprise an unsustainable form of development, contrary to Local Plan policies DEV5 and HSG5. By increasing the number of car journeys, I find that the proposal would also fail to accord with the National Planning Policy Framework, which seeks to encourage development which reduces greenhouse gas emissions and congestion.

Other Matters

12. I note that, in support of the proposal, the appellant considers that the site is well related to Pica. I agree that the site is within reasonable distance of other houses in Pica. However, this is not a factor which outweighs the harm identified.

⁷ Copeland Local Plan 2001-2016 Adopted Version (2006).

Conclusion

13. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR