

PLANNING APPEAL DECISION

Lead Officer: Tony Pomfret – Development Control Manager

To inform Members of a recent appeal decision in respect of a site adjacent to Wyndhowe, Seamill Lane, St Bees, Cumbria

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 Full planning permission to demolish an existing barn and erect a three storey dwelling in its place, on a plot which was formerly part of a commercial nursery within the village, was refused on 5 November 2009 for the following reason:-

"By virtue of its scale, height and resultant massing the proposed 3 storey dwelling would constitute an over dominant and incongruous form of development out of character with neighbouring dwellings and the surrounding area generally. Furthermore the height, design and position of the new dwelling would have an oppressive and over dominant effect on the potential for development of the adjoining plot 2 and the outlook from the property known as "Mulcastre" to the rear contrary to Policies DEV 6 and HSG 8 of the adopted Copeland Local Plan 2001-2016.

1.2 A subsequent appeal against the decision has been DISMISSED. Whilst the Inspector does not believe the outlook from Mulcastre would be seriously harmed by the proposal he considers that it would look incongruous, out of scale and character with its surroundings and in conflict with what is sought by Local Plan Policies DEV 6 and HSG 8. A copy of the Inspector's decision letter is appended to this report.

Contact Officer: Heather Morrison– Senior Planning Officer

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



Appeal Decision

Site visit made on 18 May 2010

by **John L Gray** DipArch MSc Registered Architect

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

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Decision date:
15 June 2010

Appeal Ref. APP/Z0923/A/10/2120565

Land at Wyndhowe, Blythe Place, St Bees, CA27 0BG

- 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 G Morgan against the decision of Copeland Borough Council.
- The application, ref. 4/09/2426/0, dated 10 September 2009, was refused by notice dated 5 November 2009.
- The development proposed is demolition of a barn and erection of a new dwelling.

Decision: I dismiss the appeal.

Main issue

1. The main issue has three strands: whether the proposed dwelling would be over-dominant, incongruous and out of character with its surroundings in terms of its scale, massing and height; the effect it would have on the development potential of the adjoining plot; and the effect it would have on the outlook from 'Mulcastre', the dwelling which stands on higher ground to its east.

Reasons

2. The barn on the appeal site looks incongruous, primarily because, seen from the west, it now stands surrounded by housing. It is also a somewhat surprising building, simply because of the lie of the land. It is a two-storey building at the front – but is built into a very steep slope so that the rear of its shallow mono-pitch roof is at the same level as the ground behind.
3. The proposed dwelling would be three-storeyed, meaning that it would rise above the ground level at the rear. It would match the height, and the roof profile, of the nearest house in the terrace of three-storey houses immediately to its north. At first glance, that might seem sensible and appropriate. To the south, however, stands a bungalow, Wyndhowe; and to the south-west, on lower ground, a dormer bungalow. The contrast between a three-storey house, especially such a large one as proposed, and these two dwellings would be marked and incongruous, much greater than in relation to the existing three-storey terrace, because the new house would be so much closer to them.
4. Three other factors come into play. Firstly, the proposed house would be set well back from the façade of the terrace, its west-facing elevation actually behind the east-facing wall of the adjacent house. That in itself diminishes any perceived need to pay close visual respect to the terrace. Secondly, the site plan shows the terrace with a total frontage of around 18m for three houses; the proposed house would have a frontage of over 12m, almost automatically putting it out of scale and character with these older neighbours. Thirdly, the design of the house shares no characteristics with the three-storey houses (the

fenestration is modern and asymmetrically placed, the doorway is a secondary element in the façade and the roof is asymmetrically hipped rather than gabled), which renders meaningless the conformity of eaves and ridge heights. (Also, the nearest house has a higher ridge than the other two in the terrace, which lessens any advantage that may be thought to derive from matching it.)

5. Between Wyndhowe and the appeal site is a plot with consent for the construction of another dwelling. An appeal against the refusal of permission for a 2½-storey dwelling was dismissed in 2008. Although I have no details of the proposal, I can fully understand that such a design would seem out of place directly alongside a bungalow and close to a dormer bungalow. The same thing is true of a dwelling on the appeal site. It and any dwelling on the adjacent plot have to sit comfortably in the context of three-storey houses on one side and a bungalow on the other. The appeal proposal could not possibly assist in that process – yet it must do so if an appropriate visual solution to the disparity is to be achieved. In fact, any house on the appeal site must mediate between the three-storey terrace and the bungalow on either side, whether or not another house were to be built immediately to its south.
6. In my opinion, these factors result in a proposal that would look incongruous, out of scale and character with its surroundings and in conflict with what is sought by Local Plan Policies DEV6 and HSG8. I conclude that the appeal should be dismissed.
7. I do not believe that the outlook from Mulcastre would be seriously harmed by the proposal. From Netherton Road, part of the golf course and the sea would remain visible above the ridge of the proposed house. On my estimate, Mulcastre stands some 4-5m above the road, meaning that much less of the view would be obscured. Also, the upper part of the house itself, though plain, would hardly be an eyesore. This cannot, however, outweigh my conclusion above on the other aspects of the main issue.

John L Gray

Inspector