



Appeal Decision

Site visit made on 20 December 2022

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 10 February 2023

Appeal Ref: APP/Z0923/W/21/3285891

Land adjacent to Baruth Cottage, Hardmoor Lane, Sandwith, Whitehaven, Cumbria, CA28 9UU

- 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 Mrs Paula Irving against the decision of Copeland Borough Council.
 - The application Ref 4/21/2115/0F1, dated 24 February 2021, was refused by notice dated 19 May 2021.
 - The development proposed is the erection of a 4 stable block for the applicant's horses.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council's decision notice refers to the Copeland Local Plan 2013-2035. However, both parties acknowledge that this is a mistake and they know that the local plan for the appeal is the Copeland Local Plan 2013-2028 Adopted December 2013 (the LP). I have determined the appeal accordingly.
3. The description of the development in the application form is very long. In the interests of clarity and conciseness, I have adopted the description of the development from the appeal form.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site comprises part of a field immediately adjacent to Hardmoor Lane, which is a private road that provides access from Sandwith to Baruth Cottage and the adjacent quarry and it also serves as a public right of way that links to the coastal paths between Whitehaven and St Bees Head. The site occupies a plateau location above Sandwith close to the coastal cliffs in an area of sparsely developed open countryside characterised by scattered farmsteads. It is in the St Bees Head Heritage Coast and the Undeveloped Coastal Zone.
6. The National Planning Policy Framework (the Framework) explains that Heritage Coasts are nationally designated areas of undeveloped coastline managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors. Planning decisions are required to be consistent with the special character of the area and the importance of its conservation. In this

- case, the Heritage Coast includes a predominantly undeveloped farmland landscape with large open fields, an exposed coastal edge and little tree cover except for in association with isolated farmstead buildings.
7. The proposed stable block would be about 14.8m long and 3.7m deep. Its eaves would be roughly 2.4m on the rear elevation facing the road, rising to nearly 2.8m on the front elevation. It would be constructed in painted blockwork with 4 timber stable doors in the front elevation and it would have an olive green metal roof. The stables would be set in a large area of hardstanding extending roughly 30m along the road boundary.
 8. By virtue of its large scale and prominent roadside location in an area of open countryside, the stables would be readily visible from the adjacent footpath and from locations in the wider area. The proposal would be widely separated from Baruth Cottage and the adjoining property, identified as Quarry Bungalows on the plans, and it would not be read or integrated into its surroundings as part of a building group. While stables may be a rural form of development, the surrounding farmed landscape appears largely devoid of field buildings and large stables are not typical of the area. The contemporary utilitarian appearance of the proposal would be out of keeping with traditional agricultural buildings and the local rural vernacular which comprises sandstone and slate.
 9. Irrespective that there may only be limited views from the coastal footpath, the proposal would be conspicuous from the adjacent footpath and the surrounding area. Notwithstanding its relatively low height, its scale and design would render the stables a visually obtrusive and incongruous form of development. The stables would be poorly related to the local built environment and the landscape setting. It would be a discordant feature and its modern functional appearance would have an urbanising effect that would diminish local distinctiveness and sense of place.
 10. Although the plans do not include landscaping to soften the visual impact, the appellant would be willing to incorporate landscape treatment to screen the proposal. However, no details have been provided to demonstrate that it could be effectively screened. Moreover, as field boundaries are generally open with only scattered scrub along low post and wire fences, I cannot be certain that any landscaping that would adequately screen the proposal would not harm visual amenity, taking into account the prominent location. Therefore, in the absence of details, I am not satisfied that mitigation for the adverse visual impacts could be addressed by the imposition of planning conditions.
 11. The appellant does not own a farm where stables could be less obtrusively sited. However, the evidence suggests that she lives relatively close by and she already has a stable building on nearby land. Notwithstanding her wishes in relation to the siting, scale and design of the proposal, there is little evidence that there are no alternative more acceptable locations or forms of building that could deliver similar benefits without the harm that I have found.
 12. Therefore, I conclude that the proposal would harm the open rural character and appearance of the countryside and the coastal landscape. It would conflict with LP policies ST1, ST2, ENV2, ENV5, DM10 and DM30. These require, among other things, that development protects and enhances the landscape, the undeveloped coast and St Bees Head Heritage Coast; that development outside of settlements has a proven requirement for the location; that new buildings are well related to existing built development or otherwise well screened; and

that it should respond positively to local character and distinctiveness, including in terms of design, scale and materials. It would also conflict with the aims of the Framework in relation to development adding to the overall quality of the area, being visually attractive and sympathetic to local character including the landscape setting and maintaining a strong sense of place.

Other Matters

13. LP Policy ENV2 supports opportunities along the undeveloped coast for recreation through support for the North West Coastal Trail and Colourful Coast projects. In this regard, while equestrianism may be outdoor recreation, there is little evidence that the proposal would contribute to the Coastal Trail or Coast project or that it benefits from the policy support.
14. One of the Council's reasons for refusal is on grounds that approving the scheme would make it difficult to resist similar proposals on surrounding fields, resulting in cumulative harm to the character and appearance of the rural location. A proliferation of utilitarian equestrian buildings would undoubtedly be detrimental to the landscape. However, there is little evidence of a demand for similar development in the area. In any case, as each scheme must be considered on its individual merits, in considering theoretical future applications the Council could take into account cumulative visual impacts.

Conclusion

15. For the reasons set out above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict.
16. Therefore, I conclude that the appeal should be dismissed.


INSPECTOR