



Appeal Decision

Site visit made on 15 June 2026

by A Hartley, LLB (Hons), Solicitor, MBA

an Inspector appointed by the Secretary of State

Decision date: 10 July 2026

Appeal Ref: 6009182

Ivy Cottage, Lonsdale Place, Whitehaven CA28 6DX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mike Graham against the decision of Cumberland Council.
 - The application Ref is 4/25/2232/OF1.
 - The development is described on the planning application form as 'New garages and gym shower room and home office for domestic use.'
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The planning application form states the site address is "No 15 Lonsdale Place New Road". However, the site address appears to have changed during the planning application process. The decision notice and the appeal form describe the site as "Ivy Cottage" and I have therefore used this in the banner heading.
3. From the evidence before me the relevant local plan is the Copeland Local Plan adopted in November 2024 (LP) by the successor unitary Cumberland Council. This replaced the previous Copeland Local Plan 2013-2028 and the saved policies of the Copeland Local Plan 2001-2018. Accordingly, I have assessed the proposal against policies DS4 and H14 of the LP.
4. The appellant's statement of case refers to appendices 1-3, however these were not submitted with the appeal documents. I have based my decision on the plans/drawings considered by the Council when it made its decision, as I am required to do. Furthermore, although I have not seen the "submitted images" in Appendix 3, this does not prejudice my decision making, as my decision has also been informed by my site visit.

Main Issues

5. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - highway safety.

Reasons

Character and Appearance

6. Ivy Cottage is a two-storey detached dwelling with garden, accessed via a narrow, cobbled lane to the rear of properties on Lonsdale Place. The lane is accessed from an unmade carriage entrance between 11 and 13 Lonsdale Place, that links to New Road. Ivy Cottage is set back from the lane on the eastern side. Gardens to Ivy Cottage are in two parts, both fronting the lane. The part of the garden on which the appeal development is proposed is presently elevated. Stone steps provide access to it from the lane, and high walling of stone, brick and block form the boundary with the lane. There is a garden shed adjacent to the lane within the elevated part of the garden. Along the eastern side of the lane, other properties are set back, with some modest, single storey outbuildings to the front of the lane.
7. The appeal proposal would excavate the elevated garden area so that the land would be level with the lane and remove the steps and stone walling. It would introduce a two-storey building set back from the lane, forward of Ivy Cottage.
8. Whilst views of the proposed development would be limited to those using the cobbled lane behind Lonsdale Place, the appeal proposal would dominate the street scene along the narrow, cobbled lane, due to its height and width. In these respects, the building would be out of character with other smaller scale buildings on the eastern side of the lane. It would thus appear incongruous in the street scene.
9. I have had regard to the ownership details, the red/blue land and that the proposed development would be shared between the occupiers of No 15 and Ivy Cottage. Nonetheless, given their relative positions, the new building would likely be read as an outbuilding to Ivy Cottage rather than No 15. However, it would not appear subservient to Ivy Cottage in its current form and having regard to the extent of the permitted extensions, it would remain overly dominant and not appear subservient to an enlarged Ivy Cottage. Furthermore, even if the proposal were to be assessed as an outbuilding to just No 15, it would not overcome the harms I have identified above to the street scene and character of the area.
10. There are a number of other outbuildings/extensions in the vicinity of the site. However, I do not have their full details and when they were permitted, but based on what I have seen, they do not harm the character and appearance of the street scene in the same way the appeal proposals would. They do not therefore make the appeal proposal acceptable.
11. Overall, the appeal proposal would not respond positively to the scale and form of surrounding development within its context. It would therefore harm the identified character and appearance of the area contrary to Policies DS4 and H14 of the LP, which seek, amongst other things, development of a scale that would not adversely alter the character of the area or the street scene.

Highway Safety

12. The appeal proposal would introduce garage parking for four cars. It is reasonable to expect that this will encourage use of the building for that purpose, and thus an increase in vehicle movements along the narrow, cobbled lane, accessed through the carriage entrance between Nos 11 and 13 Lonsdale Place.

13. The appellant suggests that the widening of the lane in front of the appeal building and removing four vehicles from on street parking would benefit occupiers in the area. The Highway Authority confirms that the access through the carriage entrance and along the lane is sub-standard and currently affords vehicular access to the properties on the eastern side of the lane. The limited widening of the lane in front of the garage will not assist existing users. Additional vehicle movements will increase the possibility of vehicles meeting at the lane and thus having to reverse onto New Road, giving rise to an unacceptable effect on highway safety.
14. I attach significant weight to the advice of the Highway Authority and notwithstanding the purported benefits of the proposal I find that the appeal development would increase vehicular use of the sub-standard access. Thus, in relation to this main issue the proposal is likely to give rise to unacceptable harm in terms of highway safety in conflict with policy DS4 of the LP.

Other Matters

15. The proposed development is to the rear of the terraced Grade II listed buildings on Lonsdale Place. While there is no specific reason for refusal cited on heritage grounds, I am mindful of the statutory duty under section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), to give special regard to the desirability of preserving or enhancing listed buildings, their setting or any features of special architectural or historic interest which they possess. The special significance of the listed buildings lies in the architectural features to their frontage. Due to the position of the proposed development to the rear of the listed buildings and the distance from them, the proposed development does not cause harm to the significance of the listed buildings or their setting. I conclude that there would be no heritage harm as a consequence of the proposed development.
16. The appellant points to the absence of objection from the Town Council and Local Lead Flood Authority. However, this in itself does not mean that the current scheme is acceptable and does not in any event absolve me from making an assessment as to its effects in regard to the main issues of the case.

Conclusion

17. The appeal development conflicts with the development plan when read as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

A Hartley

INSPECTOR