

Consultee Letter

20 June-2022

Dear Sir and Madam

The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009 as amended

**Reference: 7/2021/4076**

**Appeal by: Mr & Mrs Smith**

**Site: Land adjacent Thorntrees, Ennerdale Bridge, CA23 3AR**

We are writing to let you know that Mr & Mrs Smith has lodged an appeal to the Secretary of State against our refusal of planning permission for Residential development - agreement in principle application. The reasons for refusal were:

“The application site is within an area of exceptionally high landscape value given its location in a National Park. The highest level of protection is given to the spectacular landscape of the National Park by development plan policies. Development Plan policies expect that development will conserve and enhance the special qualities of the National Park, including the character of the spectacular landscape. National policies as set out in the National Planning Policy Framework (NPPF) states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues.  
  
The proposals would lead to the addition of buildings and an associated access road, driveways, hard landscaping and gardens into an otherwise undeveloped field. The development would be visible to all users of the public road and public footpath that lead past the site and would be prominent from the western entrance to the village. The proposed development would represent a significant change to the character and appearance of the site at odds with the undeveloped rural nature of the northern side of the road and entrance to the village.   
  
The proposals would therefore erode an important characteristic to the entrance of the village and would fail to reinforce the local character and distinctiveness of the area contrary to Policies 02 (Spatial strategy), 05 (Protecting the spectacular landscape) and 06 (Design and development) of the Lake District National Park Local Plan and the requirements of the National Planning Policy Framework. The harm identified is not outweighed by the provision of housing.

Policy 15 (Housing) of the Lake District National Local Plan permits new dwellings within the National Park where they contribute to meeting local need or local affordable need. It is not possible to apply conditions, including occupancy conditions, when approving applications for planning permission in principle to secure the dwelling in perpetuity to continue to meet local need as required by Policy 15. In the absence of a local occupancy condition the proposed dwelling would be contrary to Policy 15.

The appeal will be determined on the basis of written representations. The procedure to be followed is set out in Part 2 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009 as amended.

We have forwarded all the representations made to us on the application to the Planning Inspectorate and the appellant (unless you asked for your letter to be treated as confidential). These will be considered by the Inspector when determining the appeal.

If you wish to make additional comments, or modify/withdraw your previous representation, you can do so on the Planning Portal at [https://acp.planninginspectorate.gov.uk](https://acp.planninginspectorate.gov.uk/) or by emailing [North2@planninginspectorate.gov.uk](mailto:North2@planninginspectorate.gov.uk). If you do not have access to the internet, you can send **three** copies to:

Terry Scott, The Planning Inspectorate, Room 3D Eagle, Temple Quay House, 2 The Square, Bristol, BS1 6PN

The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference APP/Q9495/W/22/3293903**.

Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and this local planning authority and will be considered by the Inspector when determining the appeal.

The appeal documents are available for inspection on our website using this [link](http://www.lakedistrict.gov.uk/swiftlg/apas/run/wphappcriteria.display) and entering the application reference.

You can get a copy of one of the Planning Inspectorate’s “Guide to taking part in planning appeals” booklet free of charge from Gov.UK at [https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal](https://www.gov.uk/government/collections/taking-part-in-a-plannig-listed-building-or-enforcement-appeal).

When made, the decision will be published on the Planning Portal website [https://acp.planninginspectorate.gov.uk](https://acp.planninginspectorate.gov.uk/).

Yours faithfully

**Development Management Support Team**

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