
Appeal Decision

Site visit made on 13 February 2017

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 1st March 2017

Appeal Ref: APP/P2935/W/16/3162474

Felton and Thirston Youth Club, Recreation Lane, Felton, Northumberland NE65 9QA, Grid Ref Easting: 418587, Grid Ref Northing: 600565

- 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 Tantalion Estates Ltd against the decision of Northumberland County Council.
 - The application Ref 16/00424/FUL, dated 11 February 2016, was refused by notice dated 26 October 2016.
 - The development proposed is change of use from D2 to C3; erection of a building comprising 4 no. apartments.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Tantalion Estates Ltd against Northumberland County Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - (a) Whether the proposed development would preserve or enhance the character or appearance of the Felton Conservation Area; and
 - (b) The effect of the proposed development upon highway safety.

Reasons

Character and appearance

4. The appeal site contains a single storey building formerly used as a youth club and is located in the village of Felton on Recreation Lane, a single track road which leads to a recreation ground and play area. Recreation Lane is situated to the east of and at right angles to Main Street, which is the main road that runs through the village north of the river Coquet. The older core of the village, where the appeal site is located, forms part of the Felton Conservation Area (the Conservation Area).
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5. The Conservation Area is characterised by the wide straight built form of Main Street, which is flanked on both sides by predominantly 2 storey terraced buildings of stone and brick construction. Narrow roads and lanes running off Main Street are wholly subordinate, following the line of the back gardens, fields and allotments. Buildings along these lanes are mostly situated immediately behind the densely packed Main Street frontages, with the largely open rear plots providing a pleasing and more relaxed transition to the countryside beyond. The appeal site is situated in this less developed and more open area.
6. Although the proposed apartment block would have a similar length to the existing building it would be deeper and with 2 storeys it would be almost twice as high. It is acknowledged that the proposed block would be of a similar size to many buildings in Felton and that some are larger. Nevertheless, the resulting much larger scale and mass would be an intrusive and prominent incursion into this generally open and largely undeveloped rural lane which is surrounded by fields, allotments and the recreation ground.
7. The backdrop of tree cover would provide only limited screening of the building and the proposed use of traditional stone and slate materials and vernacular architecture would not ameliorate the harmful impact of the development. Whilst the existing building is currently not in use and the appellant states that it is falling into disrepair, this does not justify replacing it with a building that would look out of place. The Council's planning and conservation officers raised no objection to the overall scale and design of the proposed development. Nevertheless, the local planning authority is not bound to accept the recommendations of its officers and nor am I. Accordingly, I have afforded these matters very little weight.
8. For the reasons set out above, I conclude that the proposed development would not preserve the character or appearance of the Felton Conservation Area. In the parlance of the National Planning Policy Framework (the Framework), the harm to the designated heritage asset is less than substantial. Any harm requires clear and convincing justification. The re-use of previously developed land and the provision of 4 additional residential units with access to a range of local services and public transport do not amount to public benefits sufficient to outweigh the harm caused to the heritage asset. Given this finding, the Framework indicates that the proposal should be refused and it does not represent sustainable development.
9. In addition, the appeal proposal would not accord with the design and heritage conservation and enhancement aims of Policies S15 and S16 of the Alnwick District Core Strategy. Despite the age of the policies they remain consistent with the historic environment protection aims of the Framework and as such I have accorded them full weight.

Highway safety

10. Recreation Lane is a single track road with no footways and limited passing places. It has street lights along its length, and the straight and fairly level alignment ensures reasonable visibility.
11. There is no dispute between the main parties that the existing building on the appeal site has an established D2 Use Class (Assembly and leisure), and could therefore be put to a variety of uses including a cinema, dance and concert

hall, bingo hall, sports hall, gymnasium and other sports and leisure uses without the need for planning permission. Further permitted development rights¹ could enable the change of use of the building to a state-funded school or registered nursery and to uses within Use Classes A1 (Shops), A2 (Financial and professional services), A3 (Restaurants and cafes) and B1 (Business). It is likely that such uses could generate more traffic than the proposed 4 apartments. I therefore give this fallback position significant weight.

12. Paragraph 32 of the Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. There is no evidence before me of existing road safety issues either on Recreation Lane or the junction with Main Street. The established use of the existing building on the appeal site would be likely to generate more traffic movements than the appeal proposal. I have not been presented with any evidence that the appeal proposal would prejudice road safety to such an extent that the residual cumulative impact would be severe.
13. For the reasons set out above, I therefore conclude that the proposed development would not prejudice highway safety. As such, it would accord with Part 4 of the Framework.

Conclusion

14. I have found no harm with regard to highway safety. However, neither a lack of harm in this respect nor the benefit of additional residential units is sufficient to outweigh the significant detrimental effect the appeal proposal would have on the character and appearance of the Felton Conservation Area.
15. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

CL Humphrey

INSPECTOR

¹ Set out in The Town and Country Planning (General Permitted Development) (England) Order 2015.