

Appeal Decision

Site visit made on 15 May 2017

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 4 July 2017

Appeal Ref: APP/P2935/W/17/3168741

Field to East of 3 Newburn Holdings, Norham, Berwick upon Tweed TD15 2LW

- 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 & Mrs Brian DeLeon against the decision of Northumberland County Council.
 - The application Ref 16/04089/FUL, dated 3 November 2016, was refused by notice dated 29 December 2016.
 - The development proposed is erection of 2 bedroom bungalow and associated single garage.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 7 June 2017

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - whether, having regard to the location of the appeal site in relation to services and facilities and in conjunction with local and national planning policy, the proposed development would amount to a sustainable pattern of development; and
 - the effect on the character and appearance of the area.

Reasons

Pattern of Development

3. The appeal site is a paddock to the east of Newburn Holdings, which consists of a cluster approximately 3 dwellings and associated agricultural buildings. The approach of the National Planning Policy Framework (the Framework) to the promotion of sustainable development in rural areas, set out in paragraph 55, is that housing should be located where it will enhance or maintain the vitality of rural communities. The Framework goes on to note that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside; where such
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development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or the proposed dwelling is of exceptional quality or innovative.

4. Although the site is located adjacent to a cluster of dwellings and other buildings, the appeal proposal would, to all intents and purposes, result in an isolated home in the countryside in that it would be remote from the nearest facilities which are located in Norham approximately 2km away. I have not been presented with any evidence in relation to bus services in the area, but I saw that there were no bus stops evident in the vicinity of the site. The site is therefore isolated from local services which would foster reliance on the private car.
5. The appellants contend that the development is not isolated as it is located adjacent to buildings in Newburn. However from my observations of the site and the surrounding area, this collection of houses and other buildings appears typical of the small groups of dwellings that can be found within the surrounding open countryside and does not represent a distinct settlement.
6. I note that the appellants consider that the proposal would help to sustain the existing smallholding and Newburn. However, no evidence has been provided to me that the dwelling is required to meet the operational needs of the smallholding, for example to provide accommodation for an agricultural worker. Furthermore, no mechanism has been submitted to ensure that the occupation of the dwelling or the benefits arising from it would remain linked to the operation of the smallholding. Moreover, there are no services in Newburn that residents of the dwelling could contribute to.
7. For the above reasons, I consider that the appeal proposal represents an isolated home in the countryside under the terms of paragraph 55 of the Framework. As it would not be located within or immediately adjoining an existing settlement and due to its environmental impact, the proposal would conflict with Policies F1 and F4 of the Berwick-upon-Tweed Borough Local Plan 1999 (BBLP). The proposal would also conflict with Policies 1, 2 and 3 of Northumberland Local Plan Core Strategy 2015 (CS) which seek a sustainable pattern of development and a high standard of accessibility. It has not been demonstrated that the special circumstances listed in paragraph 55 apply in this instance, so the proposal would therefore be contrary to the provisions of the Framework.

Character and Appearance

8. The site is within an Intermediate Area of Landscape Value (IALV) defined by the BBLP and which is recognised for its contribution to the landscape. The bungalow would extend built development into the countryside and appear as obtrusive development when viewed from the adjacent highway and wider open countryside. Although a degree of screening would be provided by the hedge adjacent to the highway, the bungalow and garage would project above this hedge and would be readily visible from the highway and surrounding area. Furthermore, the proposal would introduce a domestic character into the amenity area around the dwelling with features such as residential landscaping, lighting, patio area and driveway. The proposal would therefore remove the

rural character of the site to the detriment of its countryside location and the character and appearance of the IALV.

9. I acknowledge that the size and massing of the bungalow would be limited and that it would be of an understated design. I also note that the Council Officer's report states that it does not conflict with development plan policies in relation to design. However, this does not overcome the harm to the character of the landscape identified above.
10. I conclude that the proposal would harm the character and appearance of the area as a result of extending residential development into the countryside. The proposal therefore conflicts with Policies F1 and F4 of the BBLP as it would not enhance the landscape and would not be immediately adjoining an existing settlement. It would also conflict with Policies 1, 2 and 3 of the CS due to the harm to local distinctiveness and the defining character of the surrounding area. The proposal would also conflict with the core planning principles of the Framework which seeks to protect the intrinsic character and beauty of the countryside.

Other Matters

11. The appellants refer to a planning permission that was granted for conversions of farm buildings at 1 Newburn Holdings in 2007¹, which was subsequently renewed in 2011². However, I note that these permissions were granted prior to the publication of the Framework in 2012 and were therefore assessed under a different policy context. Notwithstanding this, these permissions would appear to relate to the re-use of redundant or disused buildings which could represent one of the special circumstances of paragraph 55. These circumstances are therefore not directly comparable with the appeal proposal, which I have determined on its individual merits.
12. I note that the Council considers matters of amenity, highways and water management are acceptable. I am also mindful that no objections have been submitted in relation to the proposal. However, these matters do not overcome the harm that I have identified and have not led me to a different conclusion on this appeal.

Conclusion

13. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

¹ Application Ref: 07/B/1014

² Application Ref: 11/01513/FUL