
Appeal Decision

Site visit made on 3 November 2017

by C L Humphrey BA (Hons) DipTP MRTPI

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

Decision date: 22nd November 2017

Appeal Ref: APP/P2935/W/17/3181543

**Maryvale Cottage, Causey Hill Road, Hexham, Northumberland NE46 2JN
Easting: 392544, Northing: 563054**

- 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 John Read against the decision of Northumberland County Council.
 - The application Ref 17/00854/FUL, dated 2 March 2017, was refused by notice dated 19 May 2017.
 - The development proposed is construction of a two storey five bedroom dwelling with single garage.
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Decision

1. The appeal is dismissed.

Planning Policy

2. Since the application was determined the Council has withdrawn the emerging Northumberland Local Plan Core Strategy (NLPCS). Therefore, although the Council's delegated report and the appellant's supporting documents make reference to the NLPCS policies and evidence base, they are no longer material considerations and so I have not had regard to them in determining the appeal.

Main Issues

3. The main issues are:
 - a) Whether the proposal would be inappropriate development in the Green Belt;
 - b) The effect of the proposal on the openness of the Green Belt;
 - c) The effect of the proposal on the character and appearance of the area;
 - d) The effect of the proposal on the living conditions of the occupants of the neighbouring residential property known as The Mount, with particular regard to light, outlook and sense of enclosure; and
 - e) If the proposal is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposed development.

Reasons

Whether inappropriate development

4. Paragraph 89 of the National Planning Policy Framework (the Framework) establishes that the construction of new buildings should be regarded as inappropriate in the Green Belt, subject to a number of exceptions. Limited infilling in villages is one such exception.
5. The appeal site forms part of the extensive back garden of Maryvale Cottage and is situated to the south west of Hexham. The extent of the settlement in this location is clearly defined by Causey Hill Way and Causey Hill Road. Beyond these roads, to the south and west, the character of the area changes to fields and farmland interspersed by sporadic buildings. Maryvale Cottage and the adjoining house known as The Mount are both located within this open countryside, which is designated as Green Belt. The appeal site has a verdant appearance, is surrounded on 2 sides by fields and is bounded by hedgerow and a low post and wire fence. As such, visually, it has a far greater affinity with the characteristics of the countryside than with those of the settlement. Whilst the presence of a speed limit sign to the south of the site indicates the approach to the settlement, it does not materially contribute to a sense that the site itself forms part of it.
6. For the reasons set out above, both physically and visually, the appeal site does not form part of the settlement. Accordingly, I conclude that the proposal would not represent limited infilling in a village and would therefore constitute inappropriate development in the Green Belt which, by definition, would be harmful to the Green Belt and contrary to the Green Belt protection aims of Policies NE7 and NE8 of the Tynedale District Local Plan (the LP) and the Framework.

Openness

7. The Framework sets out at paragraph 79 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The construction of a 2 storey dwelling on the site would result in built development where presently there is none. The extensive footprint and substantial width, depth, height and bulk of the proposed dwelling would have an urbanising effect and give rise to a significant physical and visual incursion into the open countryside. This would inevitably lead to a loss of openness.
8. I therefore conclude that the proposal would have a harmful effect on the openness of the Green Belt, contrary to the Green Belt purpose of safeguarding the countryside from encroachment. Accordingly, the appeal proposal would fail to accord with the Green Belt protection aims of the Framework.

Character and appearance

9. The proposed dwelling would have a sizeable footprint, would occupy almost the full width of the site and would be of considerable depth, height and bulk. It would be of a far greater scale than the donor property, Maryvale Cottage, and appear incongruous as a result. What is more, the siting and scale of the proposed development would greatly reduce the size of the donor property's characteristically generous rear garden, erode the open verdant appearance of the site and intrude into views from the open countryside.

10. Although the design of the dwelling and the use of reclaimed stone and slate would reflect the local vernacular, the very presence of the development would have a negative effect upon the rural character of the site and surrounding area. This harmful effect would not be satisfactorily ameliorated by the sloping topography of the site, the retention of existing mature trees or the provision of additional planting. Whilst the rear garden of the donor property may be overgrown, this does not justify the harm that would result from the appeal proposal particularly as there is no reason to believe that this matter could not be reasonably resolved by other means.
11. For the foregoing reasons I conclude that the proposal would have a harmful effect on the character and appearance of the area, contrary to the design aims of LP Policies H29, H32 and GD2 and Tynedale Local Development Framework Core Strategy (the CS) Policy BE1.

Living conditions

12. Because the land falls away to the north, the proposed dwelling would be positioned at a significantly higher level than the neighbouring residential property known as The Mount. The north elevation of the development would have a substantial height and depth and would be located to the south of, and in close proximity to, the neighbouring dwelling. There are several habitable room windows on the south side of The Mount, including those serving the ground floor kitchen and a first floor bedroom, together with a conservatory and a patio area which provides private external amenity space.
13. As a consequence of its substantial scale and siting the proposed dwelling would be likely to result in a loss of light to, and have a significant overbearing and enclosing effect upon outlook from, The Mount's south facing habitable rooms and patio. I therefore conclude that the proposal would have a harmful effect on the living conditions of the occupants of The Mount, with particular regard to light, outlook and sense of enclosure, contrary to the amenity protection aims of LP Policies GD2 and H32.

Other considerations

14. The proposed development would create an additional residential unit with access to a range of local services and public transport, extending choice in the local housing market to a limited degree. I attach a moderate amount of weight to this benefit.
15. Whilst the appellant states that a substantial building could be erected on the appeal site under permitted development rights, there are no details of such a scheme before me. I therefore give this matter very little weight.

Conclusions

16. I have found that the appeal proposal would be inappropriate development in the Green Belt and would therefore by definition be harmful to the Green Belt. It would also result in a loss of openness, contrary to the Green Belt purpose of safeguarding the countryside from encroachment. What is more, the proposal would have a harmful effect on the character and appearance of the area and the living conditions of the occupants of the neighbouring residential property.
17. In accordance with paragraph 88 of the Framework, substantial weight should be given to any harm to the Green Belt. The harm to the Green Belt and other

harm I have identified are not clearly outweighed by other considerations. Consequently, I conclude that very special circumstances do not exist and the proposed development would be contrary to the Green Belt protection, design and amenity protection aims of LP Policies NE7, NE8, H29, H32 and GD2, CS Policy BE1 and the Framework.

18. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

C L Humphrey

INSPECTOR