
Appeal Decision

Site visit made on 17 June 2019

by R Jones BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th July 2019

Appeal Ref: APP/P2935/W/19/3225782

Land north west of Hague Cottage, Wylam Wood Road, Wylam NE41 8HZ

- 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 and Mrs Wolf against the decision of Northumberland County Council.
 - The application Ref 18/04155/FUL, dated 26 November 2018, was refused by notice dated 11 March 2019.
 - The development proposed is described as change of use from three bay garage to single dwellinghouse with adjacent change of use of adjacent land to garden.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from three bay garage to single dwellinghouse with adjacent change of use of adjacent land to garden at Land north west of Hague Cottage, Wylam Wood Road, Wylam NE41 8HZ in accordance with the terms of the application, Ref 18/04155/FUL, dated 26 November 2018, subject to the attached Schedule of conditions.

Application for costs

2. An application for costs was made by Mr and Mrs Wolf against Northumberland County Council. This application is the subject of a separate Decision.

Main Issues

3. The main issues are:
 - Whether the development would be inappropriate development in the Green Belt;
 - The effect of the development on living conditions of occupiers of neighbouring dwellings, in respect of privacy; and
 - The effect of the development on the character and appearance of the area.

Reasons

Green Belt

4. The appeal site forms part of the Wylam Wood Farm complex, a former farmstead, located on the edge of the settlement of Wylam and in the Green

- Belt. The proposal is for the change of use of an existing three bay garage to a single dwelling, with the use of land within the curtilage as residential gardens.
5. Paragraph 145 of the revised National Planning Policy Framework (the Framework) requires the construction of new buildings to be regarded as inappropriate in the Green Belt unless one of the seven exceptions listed (a-g) are met. I saw from my site visit that the existing garage building is of permanent stone construction, with a pitched slate roof and is substantively complete, save the windows and garage doors. Although the garage was empty, I could see no reason why it could not be used now for its originally intended purpose. I consider the building to be more than partially constructed as suggested by the Council and find the proposal would not therefore involve the construction of a new building in the Green Belt.
 6. Paragraph 146 of the Framework lists certain other forms of development that are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. The list includes the re-use of buildings provided that the buildings are of permanent and substantial construction.
 7. The five purposes of the Green Belt are set out at paragraph 134 of the Framework. Forming part of the Wylam Wood Farm complex, the appeal site is located between existing houses, former farm buildings and Wylam Wood Road. Given its relationship with surrounding development, and its location right on the edge of the settlement, the re-use of the garage would not conflict with the purposes of including land within the Green Belt in-so-far as they serve to prevent neighbouring towns from merging into one another and assist in safeguarding the countryside from encroachment.
 8. The openness of the Green Belt has a spatial aspect as well as a visual aspect. The physical extent of the existing garage building would not change. The land surrounding the garage is largely overgrown grassland with mature shrubs and trees on the frontage of Wylam Wood Road. This would form the gardens of the proposed dwelling and the character of this area would therefore inevitably change. There is, however, a significant change in level between the site and Wylam Wood Road and the mature landscaping means views of the gardens would be largely contained to within the Wylam Wood Farm complex itself which is already residential in character. I therefore find there would be no harm to the openness of the Green Belt.
 9. The extension or alteration of a building is not inappropriate development provided that it does not result in a disproportionate addition over and above the size of the original building (paragraph 145 of the Framework). The garage I saw on my site visit is as originally built. The only alterations now proposed are the relocation of a window on the rear elevation, the replacement of the garage door openings with domestic doors and windows and the addition of Velux windows to the front and rear roof slope. Given the nature and limited scale of these alterations, I am satisfied they would not amount to disproportionate additions.
 10. For the above reasons, I conclude the proposals would not be inappropriate development in the Green Belt. As a consequence, I find no conflict with the Framework or Policies NE7 or NE8 of the Tynedale District Local Plan (2007) (LP) because the proposal would not constitute the construction of a new

building and, for the reasons given, would not be inappropriate development in the Green Belt.

Living conditions

11. The garage building is sited so that its gable elevations are to Wylam Wood Road and the existing buildings that form part of the Wylam Wood Farm complex. LP Policy H32 sets out minimum guidelines for the spacing of dwellings, unless specific measures to avoid overlooking are incorporated in the design. The south facing gable would be located only 9m from the front elevation of a building identified on the Proposed Site Layout drawing as 'approved Unit 3 yet to start', which is to be converted into residential use. The Council consider this falls short of the minimum guideline, albeit Policy H32 relates to the distance between rear extensions and opposing gables. Whilst I acknowledge its relative close proximity, the proposal has been designed with no windows or doors on the south elevation of the dwelling. This has avoided overlooking and any resulting loss of privacy to approved Unit 3.
12. The dwellings closest to the appeal site to the north are located on the opposite side of Wylam Wood Road at a lower level. There would be no windows on the north gable elevation of the proposed dwelling. The garden area of the dwelling would fall away steeply towards Wylam Wood Road. Practically, therefore the usable part of the garden would be to the immediate rear of the dwelling which is broadly level. The boundary of the site with Wylam Wood Road is also well screened and I am not therefore persuaded that there would be overlooking from the proposed garden to those dwellings to the north on Wylam Wood Road, so as to cause loss of privacy.
13. For these reasons I conclude there would be no harm to the living conditions of occupiers of neighbouring dwellings. There would be no conflict with LP Policy GD2 or H32 because there would be no adverse effect on adjacent buildings in terms of loss of privacy and appropriate spacing of dwellings is maintained. It would further meet the guidance at paragraph 127 of the Framework by ensuring a high standard of amenity for existing and future users.

Character and appearance

14. Wylam Wood Road is a narrow road with short rows of attractive terraced housing on one side and the Wylam Wood Farm complex and open countryside on the other. The existing buildings of the former farmstead are visible from the access to Wylam Wood Road. There are, however, only glimpsed views of the rear and north gable elevation of the garage block due to the existing landscape screening on the boundary. The proposed Velux windows to the rear roof slope would be just visible from the street. These would however be seen within the context of surrounding residential development and would not have a discernible urbanising effect on the street scene.
15. Although the garden area of the dwelling would extend to Wylam Wood Road, it would slope steeply toward the road. The domestic paraphernalia usually associated with a dwelling such as washing lines, children's play equipment and garden furniture would necessarily be located close to the house and despite its elevated position they would not be visually intrusive or widely visible in the street scene.

16. I therefore conclude that there would be no harm to the character and appearance of the street scene or area. Consequently, there would be no conflict with Policy BE1 of the Tynedale Local Development Framework Core Strategy (2007) or LP Policies H32 and GD2 because the design is appropriate to and reflects the character of the site and surrounding area. It is further consistent with the Framework which seeks to ensure developments are sympathetic to local character.

Other Matters

17. Local residents have raised other matters including the loss of garages, the resulting need for additional parking and the safety of the proposed access from Wylam Wood Farm. The Council's Highways Development Management Team raised no highway safety objection to the proposed development and I saw from my site visit that the access has adequate visibility particularly given cars are travelling at relatively low speeds on this part of Wylam Wood Road. I am also satisfied that there is sufficient space on the site to accommodate necessary parking and turning areas for the proposed and existing dwellings.
18. Accordingly, I consider that these matters do not present reasons for withholding permission.

Conditions

19. I have considered the conditions suggested by the Council against the requirements of the Planning Practice Guidance (PPG) and the Framework. I have imposed conditions relating to the time for implementation and approved plans, in the interests of certainty.
20. In the interests of achieving a high standard of appearance of the area, I have imposed the Council's suggested condition that the windows and doors shall be timber and the rooflight windows Velux Conservation style. For reasons of highway safety, I also consider it necessary to impose a condition that the parking area shown on the approved drawing is implemented and details of refuse storage are submitted and approved, prior to occupation of the dwelling.
21. Given the building is substantively complete, I can see no need for a condition requiring details of surface water drainage or a Construction Method Statement.

Conclusion

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

R. Jones

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans. The approved plans for this development are: Garage Block As Built (Drawing No: 1006-01-A); Proposed garage block conversion to dwelling (Drawing No: 1006-03-A); Proposed garage block conversion to dwelling (Drawing No: 1006-04).
- 3) Notwithstanding the details shown on the submitted plans, the windows and doors shall be timber with a painted finish.
- 4) Notwithstanding the details shown on the submitted plans, the roof light windows shall be Velux Conservation style.
- 5) No dwelling shall be occupied until details of refuse storage facilities and a refuse storage strategy for the development have been submitted to, and approved in writing by, the Local Planning Authority. The details shall include the location and design of the facilities and arrangement for the provision of the bins. The approved refuse storage facilities shall be implemented before the development is brought into use. Thereafter, the refuse storage facilities and refuse storage plan shall operate in accordance with the approved details.
- 6) The development shall not be occupied until the car parking area indicated on the approved plan Drawing. No. 1006-04, has been implemented in accordance with the approved plans. Thereafter, the car parking area shall be retained in accordance with the approved plans and shall not be used for any purpose other than the parking of vehicles associated with the development.