



Appeal Decision

Site visit made on 26 January 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 February 2021

Appeal Ref: APP/P2935/W/20/3260244 Fenwicks Close Farm, Earsdon NE25 9TQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr W Fairley against the decision of Northumberland County Council.
 - The application Ref 20/01233/VARYCO, dated 28 April 2020, was refused by notice dated 25 June 2020.
 - The application sought planning permission for Retrospective change of use and extension to existing garden/sun room to holiday let (as amended 01.02.2017), without complying with a condition attached to planning permission Ref 16/03879/COU, dated 13 February 2017.
 - The condition in dispute is No 3 which states that: The holiday letting units subject to this permission shall be occupied for holiday purposes only, and no unit shall be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up to date register of all lettings that should be made available for inspection by an authorised officer of the Council at all reasonable times.
 - The reason given for the condition is: To ensure that the building is retained for holiday use and in accordance with the Blyth Valley Development Control Policies DPD 2007.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Blyth Valley District Local Plan 1999 (LP), Core Strategy 2007 (CS) and Development Control Policies Development Plan Document 2007 (DPD) comprises the extant development plan for the Blyth Valley. The emerging Northumberland Local Plan will eventually replace these Plans and has been submitted to the Secretary of State, and is currently undergoing examination. However, as it is not adopted policy, I apply limited weight to its emerging policies.
3. The appeal site is located in the Green Belt. The proposal would result in the re-use of a building of permanent and substantial construction. With regard to the provisions of paragraph 146d) of the National Planning Policy Framework (Framework), there is no dispute between the parties that the proposal would not be inappropriate development with regard to Green Belt policy. Based on the evidence before me, I see no reason to take a different view.

Main Issue

4. The main issue is whether or not the appeal site is a suitable location for new housing with regard to local policies relating to housing in rural areas.

Reasons

5. The appeal site is located within the designated countryside and Green Belt. It is accessed via a long and narrow single track private lane some way from the main A192 road network. The Garden Room is of a low-level nature, timber in construction, and is contained within its own grounds with dedicated parking spaces.
6. Whilst it is situated close to other residential dwellings, these comprise a small enclave of converted farm buildings. Based on my assessment of the situation on the ground, the site is not within a settlement. Nor is it located within a settlement boundary defined within the Blyth Valley Local Plan proposals map.
7. A permanent home would require closer association with local facilities such as shops, GP surgeries, religious venues and local employment providers. Both villages of Earsdon and Holywell are approximately one mile away from the site and provide such facilities as well as other local services and day-to-day living needs. The distance away from these villages is more than a reasonable walk away for the able bodied.
8. Accessibility to them on foot would be further restricted by the fact that the road to the site has a 60MPH speed limit with no footpaths or streetlamps. Furthermore, this road would be required to be navigated by a pedestrian to reach the A192 where a footpath is located to one side of the road only, and would necessitate the pedestrian crossing over the wide main road.
9. There are no cycle lanes present to local villages and the road speed limit and lack of lighting would be a deterrent to the cyclist as a mode of transport.
10. A bus stop is located on each side of the A192 for public bus services to opposite directions. Accessing either bus stop on foot would neither be via a direct route or within close relationship to the appeal site.
11. Due to these factors, there is likely to be a daily reliance on the private vehicle for future occupiers. The development would not offer a realistic prospect of access by a range of sustainable transport modes.
12. Therefore, to conclude, for the reasons given, I find that the proposal would fail to provide a suitable location for new housing in conflict with the Core Strategy Policies SS1 and SS3 that seek, among other things, to ensure that new development is directed to locations which reduces the need to travel and which are accessible by a range of modes of transport. Furthermore, it would be in conflict with the sustainable transport aims of DPD Policies DC1 and DC5. In addition, it would conflict with the core objectives of the Framework to achieve sustainable development.
13. The Council refer to conflict with Policy DC3 of the DPD. However, this policy refers to Planning Policy Statement 7 which has been replaced by the Framework. It is therefore not fully consistent with the Framework and therefore I apply limited weight to the conflict with this policy in this case.

Other Matters

14. I acknowledge that the proposal could support the local economy, however the contribution would be small and would not lead me to reach a different conclusion.

Conclusion

15. The proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding. Therefore, for the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR