



Appeal Decision

Site visit made on 11 January 2022

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 January 2022

Appeal Ref: APP/P2935/W/21/3282413

The Haven Guest House, Back Crofts, Rothbury, NE65 7YA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr & Mrs Tinlin against the decision of Northumberland County Council.
 - The application Ref 20/03231/OUT, dated 24 September 2020, was refused by notice dated 9 March 2021.
 - The development proposed is Erection of 4 no. dwelling houses (C3 use class).
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Northumberland Local Plan 2019 is progressing towards adoption and will replace the Alnwick District Local Development Framework Core Strategy Development Plan Document 2007 (CS). However, the CS is the extant development plan for the local area, and carries significant weight.
3. As this proposal seeks outline permission for four dwellings, all matters relating to appearance, layout, scale access and landscaping are reserved to be determined at a later stage.

Main Issue

4. The Council have refused planning permission for one sole reason that relates to highway safety. On this basis the main issue is the effect of the proposal on highway and pedestrian safety.

Reasons

5. The local area is characterised by a tight grain of built development set along traditional streets that rise significantly to the north. The appeal site is located behind High Street in Rothbury, and accessed from Back Crofts, a largely residential street. The Haven sits in an elevated position and is a substantial detached house and used as a guest house business. It has no street frontage due to its location at the end of a narrow and private single track lane between the dwellings of Balmoral Cottage and Sunnyville. The access lane is shared with other residential dwellings.
6. I have no reason to disagree with the Council's findings that they have assessed the proposal against all relevant criteria and the only matter in contention between the parties relates to highway and pedestrian safety.

7. The grounds of The Haven would be developed into residential houses; one to the front of the main building within the existing car parking area dedicated to the guest house, and three dwellings located towards the far boundary of the site, with private gardens in-between retained for The Haven. Vehicular access would be taken exclusively from the lane.
8. Whilst all matters have been reserved, the proposal indicates that the four houses would consist of dwellings of one four bed, two, three-beds and one two bed dwellings. The existing guest house supports thirteen bedrooms although the appellants confirm that ten are used for the purpose of the business. They also state that the use as a guest house would cease and revert to a family dwelling should permission be approved.
9. The appellants use TRICS analysis to provide surveys of the estimated vehicular trip generation associated with the existing use and that of the proposal.
10. Whilst the TRICS model is a useful starting point, it is not site specific and, in this instance, is based on vehicular trips associated with numbers of bedrooms. How dwellings in the small rural area of Rothbury, with limited public amenities, public transport services and employment opportunities, and some distance from larger towns and their services, compares to dwellings in Thetford in Norfolk or Catterick Garson in North Yorkshire, has not been evidenced by them. No information on how they compare has been cited, or substantive details on other areas they point to, to allow me to draw meaningful comparisons. Nor have they provided substantive details to explain how they have based the TRICS vehicles count surveys, *'for similar developments to give estimated trip generation'* from hotels across the UK, that they relied upon to make their assessment.
11. Even if the analysis demonstrates there to be a betterment to vehicular movements as a result of the proposal, I am not convinced that a guest house, even of this scale, can be appropriately compared to the proposal before me. This is because the character of a guest house is different to that of a regular dwelling.
12. It would be reasonable to form the view that four new houses here would give rise to different trips into and out of the site and overall general vehicular activities than one of a guest house, even if those arriving to the guest house do so by car. As most of the proposed dwellings are of three bedrooms or more, these are family homes and the reliance on the private car would be expected.
13. Furthermore, there is no evidence to suggest that the guest house is open all year round, or occupied at full capacity when it is open for business. No specific details of the patterns of guest's comings and goings has been provided by the appellants to form an understanding of specific vehicular movements.
14. The Haven may have generated deliveries to the site in association with its operation and given the business nature of the guest house, these are likely to occur during working hours of the day. The type of deliveries, types of services and numbers of vehicles to the site have not been quantified by the appellants.
15. Deliveries to residential houses would be an inevitable part of routine living, with four new homes amplifying the number of vehicular trips to each dwelling

as a consequence, which could occur at any time of day or night. This would lead to an intensification of the use of the access lane.

16. All proposed properties would be located towards the end of the lane. There may be proposed passing places identified along the lane, as well as highway works to the mouth of the junction and on the adopted highway in the interest of access and egress to and from Back Crofts. I appreciate the Council raises concerns relating to the suitability of these measures. However, in any event, given the particular circumstances of the site, its location, and what I viewed on site, I can only apply my own judgement to the proposal. I am therefore not convinced that the TRICS analysis is sufficiently site specific to adequately come to the view that the proposal would lead to no highway safety concerns, irrespective of the other upgrading works proposed and even if there have been no recorded accidents in relation to the site, or close to it, and low vehicular speeds.
17. My concerns are also applied to pedestrian safety. Pedestrians coming and going to and from the guest house could occur. Additional dwellings would also generate pedestrian movements along the lane. However, without detailed information that is specific to the circumstances of the proposal, I cannot be certain that pedestrian safety would not be severely compromised as a consequence of the new dwellings being sited in this location.
18. Based on my findings, it would not be acceptable for me to agree with the appellants that occupants of the new houses would become familiar with the access arrangements.
19. Neither would it be reasonable to attach a planning condition with regards to ensuring The Haven ceases trading as a guest house to which I have considered this in light of paragraph 56 of the National Planning Policy Framework (the Framework). It would fail to meet the relevant tests for the reasons I have identified.
20. Bringing all matters together, based on the evidence before me, and therefore to conclude, it has not been adequately demonstrated that the proposal would lead to no conflict between vehicles, and pedestrians along the lane. It would therefore not accord with Policy S11 of the Alnwick CS and the Framework in their combined aims to protect highway safety.

Other Matters

21. The appellants refer to other developments that have been approved by the Council. No specific details have been presented to allow me to provide a comparison.
22. Even if The Haven were to revert back to residential, and this would be in context with the local area, this is a neutral matter that neither weighs for or against the proposal.
23. The appellants point to issues with the Council's service. This should be referred to them in the first instance and is not within my scope to comment.

Conclusion

24. Taking into account the aforementioned reasons, the proposal would therefore conflict with the development plan taken as a whole and there are no other considerations, including the Framework, that outweigh this conflict. For the reasons given, the appeal is therefore dismissed.

Alison Scott

INSPECTOR

