

Appeal Decision

Site visit made on 24 May 2022

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2022

Appeal Ref: APP/P2935/W/22/3292698

1-2 South Road, Longhorsley, Northumberland, NE65 8UW

- 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 J Deshi of Affordable Homes to Let against the decision of Northumberland County Council.
 - The application Ref 21/02183/FUL, dated 20 May 2021, was refused by notice dated 18 November 2021.
 - The development proposed is the conversion of a self contained house to create an additional 2 bedroom house/dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Northumberland Local Plan 2016-2036 (the NLP) was adopted by the Local Planning Authority (LPA) on 31 March 2022 and supersedes the Castle Morpeth District Local Plan 1991-2006. I have therefore determined the appeal against the policies of the NLP. I am satisfied that no one would be prejudiced by this approach as the parties were invited to comment on the implications of this as part of the appeal proceedings, and I have considered their responses in reaching a decision.

Main Issues

3. The main issue is the effect of the development on highway safety, with particular regard to the proposed access arrangements and the provision of parking.

Reasons

4. The appeal relates to 1-2 South Road, a two storey dwelling centrally located within the village of Longhorsely. The proposal seeks to divide the existing property into two smaller houses, each with two bedrooms.
5. The appeal site fronts onto South Road (A697), which is a busy arterial route running north to south through the village with a 30mph speed limit. The vehicular access that would serve the proposal is adjacent to the north-facing elevation of the appeal property and leads from the courtyard to the rear of the building directly onto South Road. This vehicular access is located on the inside of a sharp bend in the alignment of the public highway along South Road, as a result visibility of vehicles approaching from the south is severely restricted by the north-facing gable elevation of the appeal property.
6. Whilst the Local Highway Authority object to the proposal on this basis, I have not been referred to any specific visibility standards or requirements in this

regard. I also note that the site plan accompanying the proposal does not illustrate any visibility splays from the access on South Road. Nevertheless, it was clear from my observations on site that visibility from the access looking south is limited to only a few metres.

7. The visibility from the proposed vehicular access would be constrained to such a degree that a driver exiting in a forward gear is unlikely to be able to safely see oncoming vehicles from the south, including cyclists, until a large part of the vehicle had manoeuvred onto the carriageway. This would give rise to a significant risk of collisions with other vehicles and, as such, this would have an unacceptable adverse impact on highway safety. In reaching this finding, I acknowledge that the vehicular access is an existing arrangement that is currently in use. However, the proposal would intensify the use of this access and jeopardise highway safety to an unacceptable degree.
8. Several traffic calming measures exist along South Road on the approach to the site, including a speed check display unit and a fixed traffic enforcement camera. However, I have not been provided with any compelling evidence that vehicles would be travelling at such reduced speeds that might justify the limited visibility experienced from the proposed access. There is a secondary access via Drummonds Close, but this provides a longer route to the main road and so for convenience future occupants of the development are likely to favour the direct access onto South Road. Therefore, the presence of this secondary access does not overcome my concerns.
9. Turning to parking, Policy TRA 4 of the NLP sets out that an appropriate amount of off-street vehicle parking sufficient to serve new development shall be made available in safe, accessible and convenient locations. It also states that vehicle parking should normally be provided in accordance with the parking standards set out in Appendix E of the Local Plan. Accordingly, for dwellings with 2/3 bedrooms the parking standards require the provision of two in-curtilage parking spaces. Therefore, the proposal would generate a total parking requirement of four in-curtilage vehicle spaces when assessed against these standards.
10. The proposal is small in scale and benefits from good access to a limited range of services and facilities in the locality. Many of which are within walking or cycling distance of the site. There is also a regular bus service to Newcastle via Morpeth. However, given the small size of the settlement it is likely that future occupants will opt for the use of the private motor car for convenience, and to access a wider range of services and employment opportunities further afield. Therefore, a parking requirement of four spaces is reasonable under these circumstances.
11. Despite part of the rear courtyard being shown within the boundary of the appeal site, the LPA and the Parish Council have advised that this area of land is registered village green, and therefore not under the control of the appellant. This is not in dispute and no evidence has been provided to the contrary. The appellant argues that the rear courtyard is a shared parking area that is available to serve the proposal, and which has a long-established use as a parking area for the surrounding properties. However, I do not have any details of the other properties that share this parking area and therefore, regardless of whether this land is available to the appellant, I cannot be sure that there is sufficient capacity to accommodate the parking requirements generated by the proposal.

12. Even if I were to accept the appellant's argument that the land within the site boundary was available to serve the proposal, there is little evidence to demonstrate that the area identified is of sufficient size to accommodate the parking requirements generated by the proposal. Particularly given that the area alongside the north-facing gable elevation is restricted due to the presence of a pedestrian safety barrier, and a vehicle parked here would further hinder access to the public highway. With the rear courtyard area discounted, the proposal would provide only a single parking space within the existing garage, significantly short of the required standard. Accordingly, it has not been demonstrated that the proposal would provide sufficient in-curtilage vehicle parking in accordance with the standards set out in the NLP.
13. In failing to meet the required parking standards, the proposal is likely to result in parked vehicles being displaced onto the adjacent public highway or blocking access to neighbouring properties. Such indiscriminate parking would be harmful to highway safety.
14. The appellant claims that they have a legal right of access over the land to the rear of the appeal property. However, I have been provided with little evidence to support this claim and in any case, this does not appear to extend to a legal right to use the land for the parking of vehicles. Furthermore, the appellant argues that the current property does not meet the LPA's parking standards. However, I do not find this a persuasive justification to intensify the residential use of the site, with the associated risks to highway safety that this would bring about.
15. Consequently, I conclude that the development would have an unacceptable adverse effect on highway safety, with particular regard to the proposed access arrangements and the provision of parking. Thus, it conflicts with Policies TRA 2 and TRA 4 of the NLP and the associated policies of the National Planning Policy Framework which together, among other things, require development to provide effective and safe access and egress to the highway network and to provide an appropriate amount of off-street parking provision in the interests of highway safety.

Other Matters

16. The appeal site is within the Longhorsley Conservation Area, the significance of which stems, in part, from its surviving historic layout along with the architectural quality and variety of its historic buildings which utilise a palette of local stone and slate in their construction. Being built from local stone and slate with a traditional appearance, the appeal property makes a positive contribution to the character and appearance of the conservation area. The property also possesses a degree of historical value gained from its association with the suffragette movement, from where it is claimed Emily Wilding Davidson set out for the Derby in June 1913.
17. Bearing in mind the limited extent of the external works that are proposed to facilitate the development, the character and appearance of the conservation area as a whole would be preserved. I also note the lack of objection from the LPA in this regard. Nevertheless, this lack of harm is of neutral consequence and does not amount to a consideration in support of the appeal.
18. I also acknowledge that the proposal would make a contribution to the local supply of new homes. However, as the proposal would only create one additional dwelling this is of limited weight. The appellant's comments over the

LPA's handling of the planning application and the fact that historically the property was two dwellings are noted, but these matters do not alter my assessment of the planning merits of the appeal.

Conclusion

19. The proposal is contrary to the policies of the development plan and no material considerations of sufficient weight have been advanced to justify a decision other than in accordance with the development plan.
20. Therefore, I conclude that the appeal should be dismissed.

J M Tweddle

INSPECTOR