
Appeal Decision

Site visit made on 19 December 2023

by Andrew McGlone BSc MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 January 2024

Appeal Ref: APP/P2935/W/23/3330641

West Grange Bungalow, Track from Scots Gap Village to West Grange Bungalow, Scots Gap, Northumberland NE61 4EQ

- 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 Mrs Alyson Gordon against the decision of Northumberland County Council.
 - The application Ref 23/01232/OUT, dated 3 April 2023, was refused by notice dated 14 September 2023.
 - The development proposed is an outline application - all matters reserved for a new dwelling in garden of existing dwelling (self-build).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted in outline, with all matters reserved for future consideration. I have therefore treated the proposed block plan as illustrative.

Main Issue

3. The main issue is whether the proposed development would accord with development plan policies relating to the location of development, including the provision of self-build and custom-build dwellings.

Reasons

4. The appeal site and existing buildings lie at the end of a track that leads to one of the two main roads that extend through Scots Gap, which is identified as a Small Village in Policy STP 1 of the Northumberland Local Plan (Local Plan).
5. To support the social and economic vitality of rural areas and recognising that development in one village can support services and facilities in other nearby villages, Small Villages will support a proportionate level of development, subject to Green Belt policy considerations where relevant. Policy STP 1 goes on to say that sustainable development will be supported within Green Belt inset boundaries and within settlement boundaries defined on the Local Plan policies map or in neighbourhood plans.
6. Unlike the Grey Stones appeal decision cited by the appellant, where there is no defined settlement boundary, the appeal site lies outside of the defined settlement boundary for Scots Gap. Here, in the open countryside, development will be supported, subject to it being demonstrated that it adheres to one or more criteria (STP 1 (g)). The relevant criterion in this case is whether the proposal provides for residential development in accordance with Local Plan Policies HOU 7 or HOU 8. None of the other criteria apply.

7. Given the location of the proposed dwelling next to three other dwellings and the short distance to other properties within Scots Gap, the appeal scheme would not result in the development of an isolated home in the open countryside. As such, Local Plan Policy HOU 8 is not relevant in this case.
8. Local Plan Policy HOU 7 is concerned with exception sites. Criterion 3 of this policy explains that self-build, custom-build and community-led housing projects will be supported if they meet the requirements of criterion 2 of this policy. This sets out the development of Small Rural Exception Sites that would not normally be used for housing within, adjacent to or well-related to an existing settlement will be supported where they meet four criteria.
9. The appeal site lies just beyond the settlement boundary and would be well-related to the existing settlement. Although all matters are reserved for future consideration, in principle, a new dwelling could be in scale and keeping with the form, character, and landscape setting of Scots Gap. There would also not be any adverse impacts on the natural, built or historic environments.
10. However, the appellant confirms that the proposal would not be an affordable dwelling. While a planning condition is suggested to secure the use of the proposed dwelling as a principal residence, that is not the same as an affordable dwelling. Also, even though the appellant and her partner live in the adjacent dwelling and may build the proposed dwelling that is not a local need for affordable housing. Hence, the proposal does not satisfy part (a) of criterion 2 as it requires proposals to be affordable homes with a local connection. By extension the proposal also conflicts with part (b) given that it is not affordable housing and there is no section 106 agreement to secure that form of housing.
11. The site is relatively close to a limited range of services and facilities within Scots Gap. These include a small supermarket/convenience store, a country store, an appliance shop, petrol station, church, GP surgery, agricultural mart and pilates studio. These are all within a short walk of the appeal site using footpaths. There is no public transport available locally, and either the distance involved and/or local topography would mean that journeys further afield would need to be by vehicle. There is one public house and a café within five miles of the appeal site, and a shop, two public houses, a post office, and a coffee shop five to seven miles away. Other places of interest are cited by the appellant, but these are not services and facilities that support day-to-day living, which is what the policy is aimed at in my opinion.
12. Even though the site is well related to some facilities and services, future occupants would need a wider range of these on a regular basis. There is no opportunity to use public transport to reach those, and there is a limited range within six to seven miles of the appeal site. Journeys would therefore be further away. Overall, I do not consider the proposed dwelling would be well-located to local facilities and services, including those outside the settlement. Conflict would therefore be caused with part (c) of criterion 2.
13. The Council granted planning permission at Rothley Lodge based on that scheme according with Local Plan Policy STP 1 part g iv and the scheme's compliance with Policy HOU 8. The latter policy relates to isolated residential development in the open countryside and is not relevant in this case. Unlike the situation here, the Council determined in the Rothley Lodge case that the scheme complied with the spatial strategy, and this outweighed concerns raised in respect of the site's location in highway terms. The policy situation is

not the same in this case, and I have, in any event, reached my own view based on the evidence before me.

14. I have also had regard to the Castlehills appeal decision, but that site seems to be reasonably close to Berwick-upon-Tweed, which contains a wide range of facilities and services to support day-to-day living, including public transport such as the east coast main line. Unlike that scheme, future occupants of the appeal site would not have an alternative to the private vehicle. The situation in the Castlehills decision is not directly comparable to the proposal.
15. The Council has a duty under the Self Build and Custom Housing Act 2015 (as amended by the Housing and Planning Act) ('the Act') to keep a register of persons who are interested in acquiring a self-build or custom-build plot, and to also grant enough suitable development permissions for serviced plots to meet this demand. Framework paragraph 63 is supportive of this type of housing.
16. The Northumberland Self-Build and Custom Housebuilding Register Monitoring Report, January 2023, outlines that the cumulative demand that needs to be met by 30 October 2024 for plots based on persons added to the register is between 510 and 565. The Council states that it has granted 663 potential self/custom build dwelling plots since 1 April 2016 up until 30 October 2022. Therefore, the Council is able to meet the demand for each base period up to and including the current one, and potentially beyond.
17. A planning condition would secure the type of housing proposed, and it would contribute towards maintaining an onward supply to meet any future demand. But as the proposal is not required to meet the current demand, I conclude that the proposed provision would not alter or outweigh the conflict that the proposal would cause with Local Plan Policies STP 1, STP 3, HOU 7 and TRA 1. Substantial harm would stem from that conflict as the proposal would conflict with the spatial strategy to deliver sustainable development in Northumberland and ensure that developments are accessible by public transport, walking or cycling where feasible to reduce the need to travel for people and goods and the dependence on travel by private car.

Conclusion

18. For the reasons set out above, although the proposal would be acceptable in design terms and there would be no harm caused in respect of highway safety, living conditions, biodiversity and drainage, I conclude that the proposal would not accord with the development plan as a whole and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. Hence, I conclude that the appeal should be dismissed.

Andrew McGlone

INSPECTOR