



Appeal Decision

Site visit made on 8 January 2024

by L Clark BA(HONS) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 February 2024

Appeal Ref: APP/P2935/W/23/3331553

20 Park Road, Swarland, Northumberland NE65 9JD

- 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 C McCann against the decision of Northumberland County Council.
 - The application Ref 23/01742/FUL, dated 11 May 2023, was refused by notice dated 3 August 2023.
 - The development proposed is proposed development of 1no. dwelling with associated access and amenity space.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In December 2023, the Government published a revised National Planning Policy Framework (the Framework). Both main parties have had the opportunity to comment on the relevant implications for the appeal. I have had regard to the revised Framework in reaching my decision.

Main Issues

3. The main issues are:
 - The effect on the character and appearance of: (a) the settlement; (b) the countryside; and
 - whether the site is in a suitable location for housing, having regard to its local and national planning policies.

Reasons

Character and appearance

a) The settlement

4. Swarland is a small village situated in rural surroundings. It is characterised by a cluster of properties centred around the heart of the village with the ribbon development along Park Road, with properties set to the western side and open fields opposite. Park Road forms a transition between the heart of the village and the open and undeveloped countryside beyond. Properties are predominantly detached and chalet bungalows, set back by front gardens with direct access to the road. Each property has a long garden to the rear, typical of burgage plots which extend up to the woodland beyond. The length of the

rear gardens makes this part of the settlement distinctive from those elsewhere.

5. The proposed dwelling would be set a substantial distance behind the rear elevation of No 20 and would be orientated at right angles to the prevailing pattern of nearby properties. Its siting would lack both direct frontage and access to Park Road, which would be atypical to the prevailing character of properties which are laid out in a ribbon form. Despite the adjoining plots of Nos 18 and 22 containing a number of outbuildings to the rear, these are set within close proximity to their respective dwellings and appear to be ancillary in use. Furthermore, the proposed subdivision would sever the burgage plot from No 20, this subdivision would erode the historic layout of the plot within the context of Park Road. As such, the proposed dwelling would appear discordant with the character and appearance within its immediate context and incongruent with the character and appearance of the settlement.
6. My attention has been drawn to the recently approved new dwelling to the rear of No 20 ref: 18/03621/FUL. As the dwelling has been partially constructed, I was able to ascertain its relationship with No 20, its immediate context and that of the settlement. The proposal whilst similar, does have marked differences to the appeal before me, specifically the close proximity of the dwelling to No 20, and that it does not project significantly beyond those ancillary buildings within neighbouring plots. Furthermore, even though the plot would be ultimately subdivided, its proximity to properties on Park Road is such that its subdivision would not be readily visible. The context within which the new dwelling is set, is sufficiently different to the appeal proposal. As such, its presence only carries limited weight in my determination of this appeal which I have considered on its own merits.
7. The proposed design and materials of the bungalow would be acceptable to the Council. However, these positive aspects of the scheme would not diminish the harm to the character and appearance of the settlement due to the subdivision of the plot and subsequent siting.

b) Countryside

8. Whilst the appeal site is not isolated, it lies outside the defined settlement boundary and within open countryside for policy purposes. The appeal site is viewed alongside an open and undeveloped landscape context. Even though views into the appeal site are limited, there are long-range views into and out of the site from the rear of Park Road.
9. The proposed dwelling would project significantly beyond the rear elevations of properties on Park Road. Despite the presence of the partially constructed new dwelling to the rear of No 20, the prevailing character of the countryside has in my opinion retained an open and largely undeveloped milieu. As such the overall projection and scale of the proposed dwelling would amount to encroachment into undeveloped countryside. This encroachment beyond the rear elevations of properties on Park Road would harm the character and appearance of the countryside as a whole.
10. My attention has been drawn to the aerial imagery which the appellant contends illustrates that the site is developed to the south. I have been told that land to the south within No 22 was a menagerie and not a building which

has subsequently been turned over to grass. This supports my observations on site.

11. Drawing upon the above I conclude that the proposed dwelling would be harmful to the character and appearance of both the settlement and countryside. This would conflict with Policies QOP1, HOU9, ENV1, and ENV3 of the Northumberland Local Plan 2016 -2036 (Local Plan) which, collectively seek development to positively contribute to local character and sense of place, including respecting building lines, and seek to protect Northumberland's distinctive natural environment. There would also be conflict with the Framework, which recognises the intrinsic character and beauty of the countryside and seeks to ensure development is, amongst other things, sympathetic to local character, including the surrounding built environment and landscape setting.

Location

12. Policy STP1 of the Local Plan sets the spatial strategy for the county. Swarland is identified as a service village within the settlement hierarchy. These third-tier settlements should provide a proportionate level of housing to support the retention of local retail, services and facilities. The policy goes on to say that development immediately adjacent to settlement boundaries may be supported provided there is no harm, to the character and appearance of the settlement or the surrounding countryside.
13. The appeal site lies adjacent to the settlement boundary, which has been drawn tightly around the existing ribbon development on Park Road to protect the area beyond it from encroachment into the countryside. I have already concluded that locating a dwelling on the site would cause such harm and would therefore fail to comply with STP1(e). The position of the settlement boundary is an issue which was addressed and agreed upon through the local plan and is not a matter for me to consider in the context of this appeal.
14. Criteria (g) iv. of Policy STP1 only supports residential development in open countryside in specific circumstances. However, the site is not isolated and therefore although referenced in the decision notice, Policy HOU8 is not relevant to my assessment of the appeal proposal. In any event, there is no evidence that the proposal would meet any of the exceptions referred to in criteria 1 a. of that policy.
15. The appellant has drawn my attention to Policy HOU7 of the Local Plan. This Policy has not been relied upon by the Council in its refusal reasons. Even if the proposal were to be self-build, I have no mechanism before me to secure it as such.
16. I conclude that the appeal site is not a suitable location for housing. It would conflict with Policies STP1, STP2, STP3 of the Local Plan, which aims to direct development within settlement boundaries in accordance with the hierarchy set out in the spatial strategy and which collectively seek to direct development to sustainable locations.

Other Matters

17. I acknowledge that the Council's Strategic Housing Land Availability Assessment (SHLAA) is a useful tool to inform the Council on its 5-year housing land supply of deliverable sites. However, its identification within the SHLAA is

not determinative in assessing the suitability of a site. As such, this is of little relevance to the assessment of the appeal before me.

18. Two Grade II Listed Buildings, 28 and 40 Park Road are within a short distance of the appeal site. Having regard to my statutory duty I concur with the Council's view that there would be no harm to their setting.
19. Whether or not 24 Park Road is operating a coach business from the property has no relevance to the appeal before me, which must focus on the planning merits of the appeal proposal.

Planning Balance and Conclusion

20. The proposal would make a positive contribution to the supply of housing, albeit the benefits of a single dwelling would be very modest. It would also bring some limited economic benefits to the construction industry and thereafter through additional consumer spending in the local economy. However, the benefits would not outweigh the harm that would be caused to the character and appearance of both the settlement and the countryside.
21. The proposal conflicts with the development plan taken as a whole, and material considerations do not indicate a decision otherwise than in accordance with the development plan. For the reasons given above, the appeal should be dismissed.

L Clark

INSPECTOR