



Appeal Decision

Site visit made on 22 April 2024

by L Clark BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2024

Appeal Ref: APP/P2935/W/24/3337758

East Salmons Well, Salmons Well, Acomb, Northumberland NE46 4RT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Wright against the decision of Northumberland County Council.
 - The application Ref is 23/03485/FUL.
 - The development proposed is erection of holiday chalet within curtilage of East Salmon Wells Farm for holiday let use.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The chalet has already been constructed; I have therefore dealt with the appeal on the basis that planning permission is being sought retrospectively for the development.
3. The National Planning Policy Framework (the Framework) was revised in December 2023. Given the date the appeal was submitted, I am satisfied that the main parties were able to address any changes within their submissions.

Background and Main Issues

4. The main parties have agreed that the proposal represents inappropriate development in the Green Belt as defined in development plan policy and the Framework. I concur with that position. The development therefore conflicts with Policies STP 7, STP 8 and ECN 16 of the Northumberland Local Plan 2016-2036 (Local Plan) and chapter 13 of the Framework, which collectively seek to protect the Green Belt.
5. Therefore, the main issues are:
 - the effect of the development on the openness of the Green Belt,
 - the effect of the development on the character and appearance of the appeal site and its surroundings,
 - whether the appeal site is a suitable location for the development, having regard to local and national planning policy; and
 - whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the

very special circumstances required to justify the proposal.

Reasons

6. The appeal site is located within the Green Belt and in open countryside. It forms part of land associated with East Salmons Wells Farm (ESWF), close to an existing holiday let (The Barn) and a single-storey detached timber outbuilding outside the development limits of Acomb. Even though there is development nearby, the surroundings are essentially rural.

Openness of Green Belt

7. Openness is an essential characteristic of the Green Belt, defined by an absence of buildings or other forms of development. Openness has a visual and spatial dimension.
8. The chalet is situated within an open field where one did not exist previously. There is, therefore, a greater impact on the openness from its presence due to the simple quantum of development. Its presence also elongates the built form associated with ESWF, with the roofline seen above the gentle slope of the hillside behind, and the building clearly visible from longer-range views which interrupts the open views beyond.
9. For the reasons given above, I find that there is a loss of the visual and spatial openness of the Green Belt. Given the scale and siting of the development, I consider that this causes moderate harm. The chalet therefore fails to preserve the openness of the Green Belt and as such conflicts with Chapter 13 of the Framework. There is also conflict with Policies STP 7, STP 8 and ECN 16 of the Local Plan, which collectively seek to protect the Green Belt.

Character and Appearance

10. The chalet is bespoke, having been hand crafted using local and recycled materials, with the external walls appearing a grey/silver hue. Ground levels slope up from Acomb and the A69 towards the appeal site with the buildings associated with ESWF clearly visible on the hillside. The chalet is situated to the east of ESWF and set significantly higher up from the road than either ESWF or The Barn. It is also set behind an open field and low stone wall which bounds the road, with low hedgerow opposite and open views of the countryside beyond. The chalet becomes visible in shorter-range views when approaching the appeal site from the rear (north).
11. Due to the distance and topography of the surrounding land, the chalet is not visible from the other side of the valley. It is however clearly seen alongside ESWF and The Barn, set up from the road with its rooftop protruding above the hillside. Given how clear the building is against the backcloth of the open countryside, it presents as an incongruent feature.
12. The appellants intend to install planting. Whilst this would partly screen the chalet, and despite the fact that some planting has already taken place, this has not screened any views of the building at present and would take time to establish. The planting would soften the visual impact of the chalet but would close off longer views into and out of the site from the open fields beyond and appear incongruent within the open context.

13. For these reasons, the chalet and screening causes harm to the character and appearance of the appeal site and its surroundings, contrary to Policies STP 1, QOP 1, QOP 2, QOP 4, ENV 1, ENV 3 and ECN 15 of the Local Plan. These collectively seek to ensure that the physical presence and design of the development preserves the character of the area; and that any hard or soft landscaping is appropriate, functional and well-integrated into the design of the development. The development also conflicts with Policy 10 of the Acomb Neighbourhood Plan 2017-2032 which seeks to ensure new development reflects local character and is informed by local character, context, and site topography. In addition, there is also conflict with chapter 12 of the Framework which seeks, amongst other matters, development to be sympathetic to the local character.

Suitable Location

14. Policies STP 1 and STP 3 of the Local Plan seek to deliver sustainable development. Policy STP 1 Criterion e. states, amongst other things, that sustainable development will be supported in the Green Belt, and within settlement boundaries defined on the Local Plan policies map or in neighbourhood plans. Criterion g. further states, amongst other things, that development in the open countryside will be supported if it can be demonstrated that it: iii. Supports sustainable rural tourism and leisure developments in accordance with Policy ECN 15.
15. The appellants do not dispute that the appeal site falls outside the settlement boundaries defined within the Local Plan and ergo not in a recognised sustainable location. I understand that the chalet was constructed by the appellants and is connected to the mains water supply, electric and septic tank. The chalet appears to be of solid construction with the materials set at ground level and its intention for permanent holiday accommodation. Images contained within the appellants statement show a well-accommodated interior which includes a kitchen area, bathroom and radiators. For these reasons, I consider it to be a permanent building. As such, Policy ECN 15, criterion 2 part d. is applicable in this instance.
16. Policy ECN 15, Criterion 2, part d. of the Local Plan states, amongst other matters, that visitor accommodation within the open countryside should, wherever possible, accord with part (f). However, part d, also states that visitor accommodation will only be supported where they would: i. demonstrably improve and diversify the County's tourist offer and/or clearly provide necessary accommodation along an established tourist route; and ii. be located as close as is practicable to existing development. Furthermore, Paragraph 89 of the Framework recognises that sites to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.
17. I have been provided with two screenshots which the appellant's consider demonstrates a need for tourist accommodation and would assist in facilitating visitors to dark sky tourism. However, I do not have substantive evidence to demonstrate the availability of the same accommodation throughout the year. Furthermore, even though the chalet is situated close to ESWF and The Barn, there is insufficient information to show that the development demonstrably improves and diversifies the County's tourism offer and/or clearly provides

necessary accommodation along an established tourist route. As such, conflict arises with Policy ECN 15 Criterion 2, part d.

18. The appellants contend that visitors to the chalet support a number of local businesses within Anick and Acomb. The appeal site is approximately 1 mile by road from Acomb and considerably further to Anick, along a narrow unlit road without pavements. Given the distance, and that access to the chalet is via a single-track road which has no pavements or street lighting it is unlikely that pedestrians or cyclists utilise this route during the hours of darkness or inclement weather. Furthermore, there is no evidence of any Public Rights of Way direct from the appeal site. As such, holidaymakers staying at the accommodation would have a high dependency on vehicles to access nearby services and facilities. Whilst it is not uncommon for holidaymakers to utilise vehicles to access visitor attractions, the purpose of Policies STP 1, STP 3 and ECN 15 criterion 2 is to facilitate accommodation within sustainable locations.
19. For these reasons, I conclude that the location of the appeal site is not suitable for the development sought, given its location outside a settlement boundary. Accordingly, the development is contrary to Policies STP 1, STP 3, and ECN 15 of the Local Plan. In addition, taking into account my findings in the previous section, the development is contrary to paragraph 88 c) of the Framework which states that decisions should enable sustainable rural tourism which respect the character of the countryside.

Other Considerations

20. The appellant has drawn my attention to an appeal decision¹. I have had regard to the VSC cited in this particular case and even though the Inspector found it acceptable in Green Belt terms, the appeal was dismissed on drainage grounds. Whilst the development subject to this appeal also comprises inappropriate development in the Green Belt, I have also found that it causes harm to the openness of the Green Belt, as well as to the character and appearance of the area, and the location of the appeal site is not suitable for the development sought. Therefore, the circumstances of the highlighted appeal are not directly comparable to the case before me. In any case I have considered the appeal proposal on its own merits. As such, I give this consideration moderate weight.
21. The appellants state that the chalet is immune from enforcement due to the length of time it has been in situ. Nonetheless, that is not for me to determine in this appeal, and would be for the appellants to demonstrate through other mechanisms. I have also not been provided with substantive evidence to demonstrate its lawfulness. As such, I give this consideration limited weight.
22. I do not have substantive evidence that the proposal meets a need. Therefore, I give this consideration minimal weight.
23. Despite the ecological benefits which the appellants have introduced since the construction of the chalet, I give these matters moderate weight in favour of the appeal due to the scale of the development. Similarly, the benefits of the chalet contributing toward the County's tourism and the rural economy, are given limited weight.
24. The appellants contend that ESWF benefits from a fallback position for a 5-pitch site for caravans, motorhomes and trailer tents, and have provided a

¹ APP/P2935/W/21/3282705

certificate from the Council. Whilst the address is ESWF, I have not been provided with a location plan to demonstrate this relates to the appeal site before me. Furthermore, I do not consider the two uses to be comparable as caravans, motorhomes and trailer tents are capable of being moved from one place to another and numbers may fluctuate. The chalet however is static and visible all year. Moreover, to be considered as a fallback there should also be a realistic prospect that the development will be implemented. In this instance, the appellants have stated that they have no desire to use their land for this purpose. I therefore give these matters limited weight in favour of the appeal.

25. The absence of objections from people who live in the area, letters of support to the planning application and to the appeal from residents and visitors to the chalet, together with support from Acomb Parish Council, do not in themselves render the scheme acceptable and do not amount to a positive factor in favour of the scheme.
26. The quality of workmanship, popularity of the accommodation and reviews from guests following a stay are not within the scope of my assessment, which must focus on the planning merits of the appeal proposal. As such, these considerations are given neutral weight.
27. The appellants have suggested conditions which restrict the permanence of the chalet through a temporary time limit, that the chalet is removed once it is no longer required for holiday let purposes and maintenance and enhancement of the landscaping around the chalet. However, these do not address the principle of inappropriateness or mitigate the harm I have found. As such, I give this consideration neutral weight.

Green Belt Balance and Conclusion

28. Paragraph 152 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
29. As set out above, I have found that the development in this case amounts to inappropriate development in the Green Belt and the Framework requires that substantial weight is attached to the harm in that regard. It also causes moderate harm to the openness of the Green Belt. There is also harm caused to the character and appearance of the area. Moreover, the chalet is not in a suitable location for the development sought.
30. The other considerations relating to the appeal decision and ecological benefits are given moderate weight. I give limited weight to the lawfulness of the chalet, fallback position, as well as its contribution towards the County's tourism and the rural economy. In addition, I give minimal weight to the need for the chalet. The suggested conditions and the other considerations highlighted are given neutral weight. I find that these, taken together, do not clearly outweigh the harm I have identified. Consequently, the VSC necessary to justify the development do not exist and the scheme conflicts with the development plan and Framework.

31. For the reasons set out above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, I therefore conclude that the appeal should be dismissed.

L Clark

INSPECTOR