



Appeal Decision

Site visit made on 2 December 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 February 2026

Appeal Ref: APP/P2935/W/25/3371690

Link House Farm, Newton by the Sea, Northumberland NE66 3DF

- 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 V Thompson against the decision of Northumberland County Council.
 - The application Ref is 24/03273/FUL.
 - The development proposed is residential annex to be used ancillary to main dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A completed planning obligation dated 22.08.2025 and made under Section 106 of the Town and Country Planning Act in the form of a Unilateral Undertaking (the UU) was submitted as part of the appeal. The UU seeks to restrict the principal residence of the proposed annexe and secure contributions of £615 towards the Council's Coastal Mitigation Services. I will return to this matter later in my decision.
3. On 22 November 2023, all areas in England and Wales designated as an Area of Outstanding Natural Beauty (AONB) were retitled National Landscapes (NL). There has been no change to the legal designation or policy status of these areas, and I have therefore replaced the reference to the Northumberland Coast Area of Outstanding Natural Beauty AONB with the Northumberland Coast Area NL in my decision to reflect this change.

Main Issues

4. The main issues are:
 - whether the annexe can reasonably be regarded as ancillary to the main dwelling and, if not, whether the proposal constitutes a sustainable form of development, having particular regard to the Council's spatial strategy;
 - the effect of the proposal on the character and appearance of the host property and the surrounding area;
 - whether or not adequate arrangements are made for Biodiversity and to secure principal residence occupancy; and,
 - whether the absence of a planning obligation to secure principal occupancy means the development fails to comply with local and national planning policies, and whether this harm outweighs any benefits of the proposal.

Reasons

5. The appeal scheme proposes the erection of an annexe within the garden of Link House Farm (the host dwelling). The host dwelling is a detached two-storey property situated within extensive grounds, which overlooks a lawned area containing a number of evergreen and deciduous trees and shrubs both within it and in the border close to the boundary wall. The host dwelling accommodates a number of buildings and structures to the rear, including several holiday cottages. I saw that vehicular access to the host dwelling can be achieved by two points, each point branched off from the main road. Each access point to the host dwelling was predominantly single track in width, and there was a larger, mainly gravelled area to the front which, at the time of my site visit, had a small mechanical digger parked. This area to the front would most likely be used for the parking of vehicles and turning.

Whether an ancillary annexe

6. The appellant has drawn my attention to caselaw *Uttlesford DC v SSE & White* [1992] JPL 171. I agree that, even if accommodation provides facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling. Rather, it would be a matter of deciding on a fact and degree basis.
7. There is no dispute that the proposed dwelling would be occupied by and would provide independent living accommodation for the appellant, that his daughter and her family would remain in the host dwelling, or that it would be located within the garden associated with the host dwelling. The dispute, therefore, lies with whether the dwelling is physically and functionally connected to the host dwelling to constitute an annexe.
8. The proposed dwelling would be situated approximately 25 metres from the main house, orientated in a way that would have no windows directly facing the host dwelling. Notwithstanding the fact that the proposed dwelling would be single-storey and would be lower than the host property, its overall length would be approximately 18.1 metres, and its maximum width would be approximately 14.4 metres. Whilst the proposed dwelling would be single-storey, it would not, from the evidence before me and observations on site, appear subservient to the main house. The orientation of the proposed dwelling, together with the lack of intervisibility and distance from the host dwelling, would also undermine the sense that there would be any shared relationship or dependence between the occupiers. Furthermore, as I have found that the proposed dwelling would not appear subservient to the main house, this further enforces my findings that it would have the appearance of a separate dwelling rather than an annexe.
9. Submitted plans show the proposed dwelling would be situated close to the easternmost access and would have dedicated parking and a turning area. These features would most likely facilitate the occupant to access, park and then exit using the easternmost access without having to pass the host property. This, in my mind, would likely result in the future occupants of the proposed dwelling being independent from the host dwelling.
10. Submitted plans show it is the appellant's intention to create a private external amenity space almost directly outside the proposed dwelling, which would be predominantly screened by planting with limited views over the garden of the host

property. Planting on three sides would effectively segregate the lawned area of the host dwelling from the proposed dwelling, severing the current physical link between the two elements.

11. I have considered whether the use of a condition to secure landscaping details would address the Council's concerns. However, in this instance and given that I have found harm with regard to the size of the proposed dwelling, together with its distance from the host dwelling and the severable nature of its access, I am not satisfied that otherwise unacceptable development could be made acceptable through the use of a condition.
12. The appellant has drawn my attention to Reddishall, Chatton, which has been granted planning permission for a residential annexe ancillary to the main dwelling, following on from pre-application advice¹. Whilst I note that the description is similar to the appeal before me, the officer's report states that there was only a relatively small separation distance between the proposed annexe and the main dwelling. Whilst the officer report does not specify how far this distance would be, the appellant has not directed me to the distance either. Furthermore, whilst I acknowledge that the Council contends the size of the proposed annexe would not have been much smaller than the main dwelling, it also found the proposal did not dominate the site. These factors, together with the occupancy condition linking the proposed annexe to the fishery business, led the Council in that instance to be satisfied that the proposed dwelling was an annexe. Given my findings, I am not satisfied that the relationship between the proposed dwelling and that of the host dwelling in this case is similar. In any case, every appeal must be considered on its own merits, and this example does not lead me to reach a different conclusion on the matter.
13. I conclude that for the reasons given above, the development would result in a separate dwelling. It is therefore necessary for me to consider whether the proposal constitutes a sustainable form of development, having particular regard to the Council's spatial strategy.

Location

14. There is no dispute that the appeal site is outside High Newton-by-the-sea. Local Plan Policy STP1 sets the spatial strategy for the county. The Council identifies High Newton-by-the-sea as a small village. Local Plans Policy STP1, criterion g. sets out that development in the open countryside will be supported where it can be demonstrated that it meets one of a number of criteria. Criterion iv. relates to residential development and requires it to be in accordance with Local Plan Policies HOU 7 or HOU 8.
15. The Council contend that Local Plan Policy HOU 7 is not applicable in this instance and, from the evidence before me, I have no reason to take a different view.
16. Local Plan Policy HOU 8 relates to isolated homes in the open countryside and supports isolated residential development where it meets one of the criteria. I have no substantive evidence, however, to demonstrate that the proposal would meet any of the exceptions referred to in criterion 1 of that policy.

¹ 25/02693/FUL, 24/00599/PREAPP

17. For the above reasons, I conclude that the appeal site is not a suitable location for housing. It would conflict with Local Plan Policies STP 1 and HOU 8, which aim to direct development within settlement boundaries in accordance with the hierarchy set out in the spatial strategy and collectively seek to direct development to sustainable locations. It would also be contrary to the requirements of the Framework.

Character and appearance

18. Local Plan Policy QOP 1 sets out general design principles and states that development should, amongst other matters, make a positive contribution to local character and distinctiveness; create or contribute to a strong sense of place and integrate the built form with the site and wider local area; and be visually attractive and incorporate high-quality materials.
19. Local Plan Policy QOP 2 relates to good design and amenity and seeks, amongst other matters, to ensure that the physical presence and design of the development preserves the character of the area.
20. Local Plan Policy HOU 9 seeks to support residential developments where they, amongst other matters, contribute to a sense of place.
21. Paragraph 84 of the Framework sets out circumstances where isolated homes in the countryside would be supported. Criterion e) states that the design should be of exceptional quality, in that it: i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.
22. The appeal site is located within the Northumberland Coast NL. Section 245 of the Levelling Up and Regeneration Act 2023 places a duty upon me to seek to further the statutory purpose of NL, which is to conserve and enhance its natural beauty.
23. Paragraph 189 of the Framework states that great weight should be given to conserving and enhancing NL. It also states that the scale and extent of development within the designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated area.
24. Whilst not referenced by the Council in the Decision Notice, but has been referred to in its officer report, Policy ENV5 of the Local Plan is also relevant. This relates to the Northumberland Coast Area NL and seeks to ensure that its special qualities are conserved and enhanced.
25. From observations on site, the host dwelling is the focal point of the farmstead and tied to the landscape by the low boundary wall and the lawned area to the south, which it overlooks. Buildings to the rear appear as ancillary to the farm's operations in their positioning within the farmstead and overall scale and massing. The surrounding area is characterised by the coastal landscape and inland farmland, which creates a predominantly soft landscape.
26. The proposed dwelling would be located to the front of the host dwelling. The building, given its overall footprint and the ancillary space surrounding it, would occupy a significant portion of the garden. Its presence would dominate the setting

of the host dwelling and disrupt the existing spatial qualities and visual hierarchy of Link House Farm, when viewed within the farmstead, from the PROW, the public highway and the nearby car park. The scale of the gable feature and the extent of glazing in the west elevation would, in my mind, compete with the traditional character of the host dwelling which, in turn, would harm the character and appearance of the surrounding area, including the NL. It therefore follows that the proposed dwelling would not enhance its immediate setting or be sensitive to the defining characteristic of the local area to constitute exceptional quality as required by paragraph 84 of the Framework.

27. The Council contend that the materials, through the predominant use of render, would have an unacceptable impact on the character and appearance of the host property. I note the submitted plans show that the proposed dwelling would comprise traditional details such as cills, lintels and quoins, which the appellant contends would be in natural stone, its roof would be natural slate, and that details such as materials could be controlled by condition. Whilst a condition attached to an approval could be used to secure this detail, in this instance, given my findings above, otherwise unacceptable development could not be made acceptable through the use of a condition.
28. I therefore conclude that the proposed dwelling would cause harm to the character and appearance of the host dwelling and the immediate area. Consequently, there would be conflict with Local Plan Policies STP 3, QOP 1, QOP 2 and HOU 9 insofar as they seek to ensure development makes a positive contribution to local character and distinctiveness. There would also be conflict with the requirements of the Framework which seeks to conserve and enhance NL's.

Biodiversity Net Gain

29. Local Plan Policy ENV 2 relates to biodiversity and geodiversity, and seeks to ensure, amongst other matters, that development secures a net gain for biodiversity.
30. The Environment Act (2021) (the EA) places a requirement on all development (save for specified exceptions) to deliver a mandatory biodiversity net gain (BNG) of at least 10%. These exceptions include, amongst other matters, development which is subject of a householder application as defined within Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
31. I acknowledge that the appellant contends that the proposed dwelling would be an annexe and is therefore exempt from BNG requirements. However, I have found above that the proposal would constitute a dwelling in the open countryside and, as such, the proposal falls outside the list of exemptions. Therefore, the planning application should be accompanied by the minimum information set out in Article 7 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
32. I have considered whether the use of a condition to secure details which demonstrate a 10% uplift would address the Council's concerns, as the appellant suggests; however, I have limited details with regard to BNG. Moreover, I have no BNG metric to demonstrate the pre-development biodiversity value of the onsite habitat on the date of the application. It is therefore unclear whether the site can accommodate an uplift. In this instance, I am not satisfied that otherwise unacceptable development could be made acceptable through the use of a condition.

33. The appellant has drawn my attention to the Council's Ecology consultee response with regard to Reddishall, Chatton². I acknowledge that in this case, the Ecologist considered the proposal was exempt from BNG, however, I also have before me the Council's Ecologist's comments dated 28 October 2024 with regard to the planning application³. In this, they clarify under what circumstances BNG would be required and conclude that insufficient information has been submitted to enable them to assess the proposal. This example is therefore not comparable to the appeal before me, which must focus on the evidence of the appeal proposal.
34. For the above reasons, in the absence of sufficient information, the proposed development is contrary to Local Plan Policies STP 3, ENV 1 and ENV 2, which collectively seek development to provide a net gain in biodiversity. The proposal would also be contrary to the policies within Chapter 15 of the Framework which require, among other things, that development protects and enhances biodiversity.

Principal residency occupation

35. The appeal site falls within a location where 20% or more households have no permanent residents. I have found above that the proposal would fail to be an annexe and constitutes a new dwelling and, as such, Local Policy HOU 10 is applicable. Policy HOU 10 requires each new market dwelling to be restricted in perpetuity to first and future occupation as a principal residence. It sets out that this restriction will be secured through a planning condition or a section 106 agreement (s106 agreement).
36. I acknowledge that the Council's preferred approach is to secure the restriction through a s106 agreement. I am mindful that this would provide transparency at the point of any potential future sale; however, Policy HOU10 is clear that this matter can be secured through the imposition of a planning condition. Therefore, even if the Council contend that the submitted UU would not be an appropriate mechanism, a suitably worded planning condition could restrict the principal occupancy if I were minded to allow the appeal.
37. For the above reasons, I conclude that there would be no conflict with Local Plan Policies HOU 10. There would also be no conflict with the Framework, which states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
38. The Council contend that the proposal would be contrary to Local Plan Policy INF 6, however, this relates to planning obligations. Given my findings above, this Policy is not applicable in this instance.

Other Considerations

Habitats Regulations Assessment & Appropriate Assessment

39. The Council contend that the appeal site lies close to designated sites, including the NorthShore Site of Special Scientific Interest, North Northumberland Dunes Special Area of Conservation (SAC) and the Northumbria Coast Special Protection Area (SPA). The area is also part of the Northumbria Coast Ramsar Site. European designated sites are afforded protection under the Conservation of Habitat and Species Regulations 2017 (the Regulations).

² 25/02693/FUL

³ 24/03273/FUL

40. The Regulations require that permission may only be granted after having ascertained that the development would not affect the integrity of a designated habitat. Notwithstanding the appellant's agreement to make a financial contribution of £615 towards mitigating the effects of the proposal on the SPA and SAC in terms of recreational pressure, as the scheme is unacceptable for other reasons, it is not necessary for me to consider the implications of the proposal upon the protected sites.

Other Matters

41. The appellant has drawn my attention to planning application Ref 23/04260/FUL, which relates to the erection of a two-storey side extension and replacement porch on Link House. Even if the principle of development was considered acceptable, the proposal in this case related to an extension to the host dwelling. The appeal before me relates to a new dwelling. Given that the descriptions are substantially different, this example is not directly comparable to the proposal before me.
42. I acknowledge that the appellant has sought to address the concerns raised by the Council from its previous planning application⁴. Even if the scale were smaller and consisted of an ancillary building, for the reasons given above, the proposed development would still result in, amongst other matters, harm to the character and appearance of the host dwelling and immediate area.
43. The appellant has drawn my attention to Local Plan policies HOU11. This relates to homes for older and vulnerable people and supports the provision of new adaptable homes where they are located, amongst other matters, in accessible and sustainable central locations well-served by local health, leisure and transport facilities. There is no dispute that the appeal site falls approximately 0.7 km outside of High Newton-by-the-sea and in open countryside. It can therefore not be defined as a central location. I saw limited facilities in High Newton-on-the-Sea, and I have nothing before me to demonstrate that it hosts any local health or leisure facilities. Moreover, the road linking Link House Farm to the bus stop was predominantly 60 mph, mainly single track with passing places and had no street lighting or footway. Even if the walk to the bus stop would be approximately 12 minutes, given the unlit nature and maximum speed of the road it would, in my mind, be unlikely utilised by pedestrians or cyclists during the hours of darkness or in inclement weather. For these reasons, the proposal would not comply with Policy HOU 11.
44. In their Planning Statement, the appellant has drawn my attention to planning application Ref 22/04155/FUL. I have limited details with regard to this case, except that it has approval for an annexe alongside an existing cottage. The circumstances of this case are therefore different to the appeal before me to consider comparable.
45. I have carefully considered the appellant's personal circumstances. I have therefore had due regard to the Public Sector Equality Duty contained in the Equality Act 2010. I am satisfied that the dismissal of this appeal would not discriminate against the appellant on the grounds of his age. The proposal would be a permanent built development, and I do not consider that the personal circumstances outweigh the harm to the character and appearance of the host dwelling and the immediate area in this particular case. My decision is therefore a proportionate response, which is a matter of considerable importance to the public interest.

⁴ Ref 23/04260/FUL

Conclusion

46. The proposal conflicts with the development plan when taken as a whole and with the provisions of the Framework in relation to heritage assets. The material considerations do not indicate that the appeal should be decided other than in accordance with the development plan.
47. For the reasons given above, I conclude that the appeal should be dismissed.

L Clark

INSPECTOR