



Appeal Decision

Site visits made on 15 February and 10 March 2011

by Wenda Fabian BA Dip Arch RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 March 2011

Appeal Ref: APP/T9501/A/10/2141524

land at Greystones, Lanehead, Tarsset, Bellingham, Northumberland NE48 1NT

- 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 Robert Cocker against the decision of Northumberland National Park Authority.
 - The application Ref 10NP0041, dated 22 May 2010, was refused by notice dated 25 October 2010.
 - The development proposed is construction of 1 single storey multi-purpose holiday accommodation/education unit and 5 single storey holiday accommodation units.
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Procedural Matter

1. The site plan shows a proposed 'longhouse'. However, this is struck out on the drawing by diagonal hatching and it was confirmed at the site visit that it does not form part of the proposal. I shall reach my decision on this basis. For precision I shall amend the description given above to omit the words *single storey* in respect of the proposed holiday accommodation units, as these include mezzanine-level accommodation.

Decision

2. I allow the appeal, and grant planning permission for construction of 1 single storey multi-purpose holiday accommodation/education unit and 5 holiday accommodation units at land at Greystones, Lanehead, Tarsset, Bellingham, Northumberland NE48 1NT in accordance with the terms of the application, Ref 10NP0041, dated 22 May 2010 subject to the conditions set out in the schedule to this decision.

Main Issues

3. The main issues are the effect of the proposal on: the character and appearance of the surrounding area, with particular regard to whether it would conserve and enhance the special qualities of the National Park; and on the living conditions of neighbouring residential occupants, with reference to privacy, light emissions and noise and disturbance.

Reasons

4. The appeal site lies within the Northumberland National Park. It is a large, sloping, uncultivated field that is bounded on two sides by rural public highways and on the third by a shared access track to about four dwellings. It lies within Lanehead, behind the village hall and a large bungalow, Sundown,

- and between a few loosely scattered dwellings that are close to three sides of the site.
5. The proposal is to create a new holiday accommodation business to cater for tourists visiting the National Park. The appeal site is within easy reach of outdoor attractions at nearby Kielder Water, just outside the park boundary, and a cycle route (the Reivers Way) passes on the road along its south side. The proposed business would be run by the appellant and his family, who live at the adjacent dwelling, Greystones.
 6. Policy 5 of the *Northumberland National Park Authority Local Development Framework Core Strategy & Development Policies, 2009*, (CS) identifies Lanehead as one of eight local centres where new development for local needs will be focussed. Preamble to the policy sets out at paragraph 6.17 that the survival of viable communities is a vital component of the living landscape of the National Park. It recognises that to realise this, some additional employment and housing development will be required within it to meet local needs.
 7. The Park Authority does not dispute the appeal site's suitability, in principle, for the type of development proposed. CS policy 15 supports development for sustainable tourism and recreation and notes to this policy record that, in accordance with policy 5, the development of small scale tourist accommodation will be supported within identified settlements. Local residents suggest the proposal would be large scale in relation to the settlement. However, I have seen little evidence to convince me that the tourist accommodation proposed (provision of a maximum of 30 bed spaces) is not small scale in terms of this policy and the Authority has assessed it on this basis. In addition, the government's PPS4¹, at policy EC7.1, requires authorities to support sustainable rural tourism developments that benefit rural businesses, communities and visitors. Criterion b) to this policy states that facilities requiring new buildings in the countryside should, where possible, be provided in, or close to, service centres or villages.
 8. In terms of sustainability, I note interested parties' concern that few local residents would seek the type of job likely to result from the proposal and that employees of the proposed business would, therefore, need to arrive by car. This may be so, but populations change and children quickly become young adults in need of casual employment. Moreover, the proposal would provide self-employment for the appellant and his wife and would inevitably increase the range of local employment opportunities, in accordance with the objectives of CS policy 5. Now or in the future it may result in employment for residents within the settlement who could arrive on foot. It seems to me that the proposal would be a flexible facility that would bring holiday makers, drawn by nearby outdoor pursuits facilities at Kielder Water as well as by the special qualities of the National Park, to the settlement and would be likely to boost the level of trade at local services including the nearby public house, which is reachable on foot via an off-road public footpath.
 9. In these respects it would accord with CS policy 14, which states that in order to create and retain a sustainable local economy the Authority will support proposals which enable the creation of new businesses that relate to the special qualities of the National Park.

¹ Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4)

10. Whilst supporting this type of development, CS policy 14 also resists negative impact on the special qualities of the National Park. This also reflects PPS4 policy EC7, which seeks tourism development that utilises and enriches, rather than harms the character of the countryside, its towns, villages, buildings and other features. CS policy 3 requires new development to conserve or enhance the special qualities of the National Park and to demonstrate high quality sustainable design and construction which protects and enhances local character and distinctiveness.
11. The first main issue, therefore, turns on the visual impact of the proposed buildings and their layout on the surrounding settlement and the National Park. The purpose of the National Parks is defined as being to conserve and enhance their natural beauty, wildlife and cultural heritage and to promote opportunities for the understanding and enjoyment of their special qualities by the public. They have the highest status of protection in relation to landscape and scenic beauty.

Character and Appearance

12. A new access into the site is proposed through the dry stone wall boundary, close to the adjacent side garden at Greystones, with parking for around 12 cars at the side of a single storey holiday accommodation/education building (referred to in submissions as the bunkhouse). There would be provision for both cycle and refuse storage discreetly located at one end of the car park alongside the existing electricity sub-station at this lowest part of the site. Five holiday accommodation units (bothies) would be set in a staggered line higher up the slope behind, just below the crest of the small hillock at the top of the site.
13. The bunkhouse would provide simple group accommodation with five twin bedrooms that could be opened out to form one large space, for educational use, a shared toilet/shower room and a shared kitchen/dining/living space. It would be a long low cedar-clad building with a standing seam zinc roof. It would have a wide glazed front, recessed below an overhanging roof and between extended side walls that would contain the external terrace in front. This recess would substantially reduce the external reflections arising from the expanse of glass and diminish this aspect of its visual presence. The building would be cut a little into the slope, sitting along the contours, below the adjacent domestic garden and large rear shed at Greystones. In this position it would fit naturally within the overall settlement pattern. It would have a similar footprint and proportions to several buildings in the village, including the village hall, and whilst in design terms it would be clearly of the current era and non-traditional in appearance, its form and materials would not be at odds with these surrounding buildings.
14. Although described as single storey, the five bothies would have a double height living space and a partial mezzanine floor with two bedrooms over the kitchen and shower room. They would be around one and a half stories high; approximately 4.1m to the eaves and 6.5m to the ridge, with a striking glazed gabled form facing outwards from the hillside. This large area of glazing would also be recessed and further screened at the upper level by timber louvres. Like the bunkhouse the bothies would appear of their time, but would reflect the form and materials of traditional domestic/agricultural sheds in the area, with a small individual footprint, steep pitched roof and cedar cladding.

15. The bothies would be cut into the slope, well spaced apart, set at right angles to the contours, with the narrow fronts. The central bothy would be set lower than those at each side; these would each be sited progressively further back and a little higher up the hill. They would sit on the hillside at a similar contour level to the village hall and the houses and outbuildings behind the crest of the site and on each side of it. From the access road and the closest properties along the west boundary, the main bulk of each bothy would be seen against the backdrop of the rising site behind, with the upper walls and roof breaking the immediate skyline. Whilst they would be noticeable against the sky in this foreshortened view, this is true of any building seen from a downhill position and there would be sufficient separation between the proposed and existing buildings so that they would not be visually dominant.
16. Viewed from further away, along the Donkleywood road and across the small valley below the site to the west, the bothies and bunkhouse would be seen set against the higher land behind the appeal site that rises above Lanehead to the north east. In this view, the development would appear loosely encircled by the dwellings ranged across the hillside around the site and the bothies and bunkhouse would become a part of the overall group. The single track access route would follow the lie of the land and would look similar to farm tracks that climb hillsides in the landscape elsewhere in the area. Stone filled wire gabions would retain levels cut for the car park and behind the buildings, but these would not be excessive in height, would eventually attract plant growth and the stone colour could be controlled by condition. The natural cedar cladding proposed would weather over a few seasons and blend with the muted colours of existing traditional stone buildings and the surrounding landscape.
17. The proposal would sit easily within this sparse widely spaced settlement, which is typical of the area and an integral part of the character of the surrounding landscape of the National Park. The whole development would, with time, be further assimilated into the landscape and softened by the provision of new planting, which is proposed on a mound around the wildlife pond that is part of the scheme and by a copse of young, mainly willow, trees already in place adjoining part of the western site boundary. The selection of species and planting layout could be controlled via the suggested condition. Thus the proposal would conserve the natural beauty and heritage of the National Park and would accord with CS policy 20 in this respect as well as with policies 3, 14 and 15.

Living Conditions

18. In relation to the potential for increased overlooking of neighbouring homes and gardens, the separation distances that would result from the proposal would be generous and sufficient to minimise any direct overlooking; the bunkhouse would be over 30m from the nearest dwelling, the bothies would be over 80m from neighbouring properties below them and the proposed mound around the pond in the region of 20m from the corner of the site closest to Sheep Cottage, sufficient to minimise casual overlooking from this vantage point. The height of the mound could also be controlled by the suggested landscape details condition.
19. CS policy 19 resists development that would fail to conserve the tranquillity of the National Park. I note local concern about the potential for exuberant holiday high spirits and the possibility of increased noise and disturbance, but each of the proposed buildings would be at a significant distance from the

neighbouring dwellings and I have seen little to convince me that the possible noise and disturbance arising from this type of activity would be materially greater than that which might arise from time to time at any residential property in the area, or at the village hall.

20. Traffic to the proposal can reasonably be expected to be domestic in nature; likely to be intermittent and spread throughout the day. Additional noise arising from traffic to the site would not be significant in the context of existing levels. Light spill would be indistinguishable from that arising at surrounding dwellings (which include wide full height windows as well as a few conservatories). In addition, external lighting could be subject to the suggested condition to limit upward emission. The proposed development would not be experienced within the context of a deserted landscape; it would be located within an existing scattered settlement, where residential activity already generates noise, traffic and light. I have seen little to show that any increase in these existing levels resulting from the proposal would be so significant as to justify refusal on the basis of harm to the tranquillity of the National Park.
21. I conclude that the proposal would not harm the living conditions of neighbouring residential occupants with reference to privacy, light emissions and noise and disturbance. In this respect it would accord with CS policy 3, which also aims to safeguard the wellbeing of local communities by ensuring that amenity is not adversely affected.

Other Matters

22. Local fears include that the proposal would almost double the population of the village. However, the proposal would amount to 5 small four-bed holiday units and 10 bed spaces in the bunkhouse, some 30 bed spaces in total and substantially fewer potential bed spaces than in the overall number of houses in the immediate area. Furthermore the additional holiday population would by nature be intermittent and seasonal; this is an inherent aspect of tourism which, according to the Core Strategy, plays a key role in the local economy.
23. I have seen little evidence to demonstrate that there is an excess of the type of holiday accommodation proposed in the area and development plan policy supports this type of new provision. It has been suggested that the bunkhouse facility would be primarily for overnight accommodation and not for education as proposed. This would be a management matter for the appellant.
24. I am satisfied from the Protected Species Survey Report submitted with the application that the mitigation measures proposed would be sufficient to safeguard wildlife and these can be ensured by a condition. My attention has been drawn to trees in the south east of the site, close to the proposed access and car park. I am unconvinced that the canopy or root areas would be encroached on by the proposal and note that the Park Authority has not objected on this basis. Water run off from the buildings and car park would be into the proposed soak-aways and this is subject to further control via the Building Regulations.
25. In respect of comments on the validity of the original planning application, the Authority's handling of the application is not a matter for my consideration in determining the appeal. Whilst the application description did not list the access or car park, it summarised the principal aspects and these other

features were clearly shown on the application plans, so that it was evident that they formed part and parcel of the proposal.

Conclusion

26. Taken all in all, I consider that a balance has been struck between conserving the natural beauty, wildlife and cultural heritage of the National Park and promoting opportunities for the understanding and enjoyment of its special qualities by the public.
27. I conclude that the proposal would not harm the character and appearance of the surrounding area, would conserve the special qualities of the National Park, in accordance with development plan policies and would not harm the living conditions of neighbouring residential occupants.

Conditions

28. For the avoidance of doubt and in the interests of proper planning, a condition requiring the development to be carried out in accordance with the approved plans is necessary. In addition to the conditions referred to in the reasoning above, requirements for further details of the proposed materials, hard and soft landscaping and construction levels are necessary to ensure assimilation with the surroundings.
29. As the submissions are clear that the appellant proposes to install *either* a ground source heat pump *or* solar/photovoltaic panels and wood pellet boilers, a specific requirement for further details of a ground source heat pump would be unduly onerous. However, a scheme for the provision of energy generation on site from renewable and/or low carbon sources is necessary to fulfil development plan sustainability objectives.
30. In accordance with the advice in DoE Circular 11/95: *The Use of Conditions in Planning Permissions*, an occupancy condition is necessary to ensure holiday use only. To prevent obstruction of the narrow surrounding roads a requirement for on-site storage, contractors' parking area and wheel washing facilities during construction as well as for the provision of properly drained permanent parking and turning areas prior to occupation is reasonable. Further details of the proposed access to ensure compliance with the Highway Authority's standards are reasonable.
31. The provision of an access onto the C198, a classified road, would require a specific grant of planning permission and the suggested condition is not necessary.
The suggested condition limiting the use of the bunkhouse would not be reasonable as the development applied for is multi-purpose holiday accommodation/education. Similarly it would not be necessary, as the use proposed does not fall into any of the classes set out in the amended Use Classes Order and planning permission would be required for any material change of use.

Wenda Fabian

Inspector

Schedule of Conditions (1 – 10):

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos. (00)002 rev B, (00)003, (20)001, (20)002, 20(003).
- 3) No development shall take place until details and samples of the materials to be used in the construction of the external surfaces (including the stone fill in retaining gabions) of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place until full details of a scheme for both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include; layout plans with construction levels related to existing levels for the wildlife pond and mounding; planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; proposed finished internal ground floor and ridge levels in relation to existing and proposed external ground levels or contours; means of enclosure; car park layout; double width vehicle access in accordance with Type 7 of the Northumberland County Council standard specification; provision for the drainage of surface water so that it does not discharge onto the highway; hard surfacing materials; minor artefacts and structures (refuse or other storage units, signs and external lighting); an implementation programme and a schedule of landscape maintenance for a minimum period of 3 years.
- 5) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Thereafter it shall be maintained in accordance with the agreed schedule.
- 6) At least 10% of the predicted energy requirement of the development hereby permitted shall be secured from decentralised and renewable or low carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)). No development shall take place until full details of a scheme and a timetable of how this is to be achieved, including details of physical works on site, has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of any part of the development in accordance with the approved timetable and retained as operational thereafter.
- 7) Development shall only take place in accordance with the mitigation measures detailed in Section D4 of the report by E3 Ecology Ltd,

Extended Phase 1 and Protected Species Survey of land at Greystones, Lanehead, Northumberland.

- 8) No development shall commence until temporary provision has been made within the site for the storage of materials during construction and for parking and turning of contractors' vehicles and facilities for wheel washing, axle and suspension cleaning. These measures shall be maintained open and available for use by all employees, contractors and visitors throughout the duration of the construction works.
- 9) The development hereby permitted shall not be occupied until space has been laid out, consolidated and drained within the site in accordance with Dwg No (00)002 Rev B and/or the approved hard landscaping scheme referred to at condition 4, for cars to be parked and for vehicles to turn so that they may enter and leave the site in forward gear. The parking and turning space shall thereafter be kept available.
- 10) The holiday accommodation hereby permitted shall not be used for any residential purpose other than holiday use by the same person, group of persons or family for periods not exceeding a total of 6 weeks in any one calendar year and shall not be occupied during a period of 2 consecutive weeks during January each year, the period to be agreed in writing by the Park Authority prior to first occupation of the development. A register of holidaymakers shall be kept. This shall be made available for inspection, with 24 hours notice, by an authorised officer of the Authority.