



The Planning Inspectorate

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Your Ref:

Our Ref:

T/APP/T9501/A/98/298090/P7

Date:

21 OCT 1998

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 & SCHEDULE 6
APPEAL BY MRS SUSAN CANSDALE
APPLICATION NO: 97/NP/66**

1. The Secretary of State for the Environment, Transport and the Regions has appointed me to determine your client's appeal against the decision of the Northumberland National Park Authority to refuse planning permission for adaption/extension of detached garage (previously end of terrace dwelling) to form single storey dwelling at garage/land adjacent to The Smithy, Elsdon. I have considered all the written representations together with all other material submitted to me. I inspected the site on 5 October 1998.

2. From my inspection of the site and its surroundings and from the written representations I consider the main issue to be the effect of the proposal on the character and appearance of Elsdon.

3. The Development Plan for the area includes the Northumberland National Park Local Plan (LP). LP policy CD1 provides that all development proposals will be required to be in sympathy with the form of the settlement, amongst other things. LP policy CD8 relates to the conversion of buildings to residential use in settlements including Elsdon where such developments will be permitted where they respect the scale and character of the settlement. LP policy C26 provides that the conversion of buildings within the National Park will only be permitted where they conform with policy CD8, amongst others, and where they satisfy certain criteria.

4. The built form of Elsdon comprises a mixture of detached, semi-detached and terraced properties situated around the perimeter of a large village green. The Smithy is on the west side of the green. It is a holiday cottage which was formed by the conversion and extension of a redundant building. To the north of The Smithy is the appeal site which includes an overgrown enclosed garden area and a building currently used as a garage. The garden area is about 1 metre higher than the floor level of the garage. Within the south frontage of the garage, which is to the east of the garden area, is a large door which opens onto an unmade track which cuts across the green. The south boundary of the garden area is a stone retaining wall which is about 1 metre from the north elevation of The Smithy. To the north of the appeal site is a garden area to a semi-detached dwelling, Whitehall Cottage.

5. The stone built garage building is about 27 square metres and the garden area is about 109 square metres. The proposal includes taking down the majority of the existing stone retaining wall along the south boundary and reducing the level of all but about 32 square metres of the garden area to the floor level of the garage. The remaining garden would be retained by a stone wall. The garage itself would be converted to a living room and an extension would be constructed within the reduced area to provide a kitchen, a bedroom and a bathroom. The proposal would create a single storey cottage for holiday letting purposes. Criterion (b) of LP policy C26 states that the building should be large enough to accommodate the proposed use without the need for substantial extension.

6. The extension would be about 32 square metres. The LP does not provide any guidance on the definition of 'substantial' in terms of its use in criterion (b). However, it is my view that the extension, given that it would be larger than the garage, must be considered to be a substantial addition. Whilst I agree that the proposed dwelling, compared to other dwellings in the village, would not be substantial, LP policy C26 clearly requires me to consider the size of the extension relative to the size of the existing building and not the size of the resulting dwelling relative to others in the area. Notwithstanding the architectural merits of the proposed dwelling which would not be unattractive, I am also concerned about the extent of the excavation works that would be required.

7. Whereas the built form of the village generally respects the natural topography of the area the proposal would require extensive remodelling of ground levels. This creation of a level site to facilitate the construction of the extension would, in my view, be contrary to the natural form and character of the village. I am not so concerned that the proposal would constitute overdevelopment of the site as the ratio of building to garden area would not be inconsistent with other development in the village. However, whereas the garage is forward of the gap between The Smithy and Whitehall Cottage, the extension would be between them. The spaces between buildings are an essential element of the character of the village and, particularly when viewed from the south-east, the extended building would visually fill the gap. Again, this would be detrimental to the character and form of the village.

8. I also share the Council's concern regarding the effect of the proposal on the village green. Though the proposal provides parking space within the curtilage of the site between the extended building and The Smithy, given the somewhat cramped nature of this space, it is likely that visitors would park on the green. I consider that a condition requiring visitors not to do so would be unenforceable. Consequently, to maintain the right of access which is shared with other properties, visitors would park on the green itself. This would be, in my view, harmful to the condition of the green and to its appearance in the vicinity of The Smithy. All of these factors contribute to my opinion that the proposed dwelling would be detrimental to the character and appearance of the village. The proposal would thus be contrary to LP policies CD1 and CD8, and in particular to criterion (b) of policy C26.

9. Turning to other material considerations, the Council are concerned about the effect of the proposal on the amenities of neighbouring residents. On the north elevation of The Smithy is an opaque bathroom window and a small secondary shuttered window. On the south gable wall of Whitehall Cottage is an opaque ground floor window. Though the outdoor amenity area of the proposed dwelling would be close to The Smithy, given the type and size of windows in that building, it is my view that the residents would not be unduly affected by the proposal. Also, given that the proposed building would be some distance away from Whitehall Cottage, and at a lower level than its side garden area, it is my view

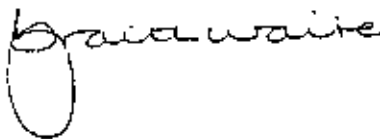
that the amenities of the residents of that cottage would not be affected. LP policy TR3, to which you have made reference, supports proposals for the conversion of buildings to provide self-catering accommodation where they help to support the local economy. I have seen no evidence to suggest that the proposed dwelling would benefit the local economy and policy TR3 also states that proposals should conform with LP policies CD1 and C26. I have already concluded that the proposal does not conform with these policies.

10. Taking all these factors into account I have concluded that the proposed adaption and extension of the detached garage to form a single storey dwelling would have a significant adverse effect on the character and appearance of Elsdon. I have concluded that the proposal is therefore unacceptable.

11. I have taken into account all other matters raised but have found nothing that outweighs the main considerations that have led me to my decision.

12. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

A handwritten signature in cursive script that reads "John Braithwaite". The signature is written in dark ink on a white background.

John Braithwaite BSc BArch(Hons) RIBA
Inspector