
Appeal Decision

Site visit made on 2 May 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 25th May 2017

Appeal Ref: APP/P2935/W/16/3162582

Gin-Gang Callerton Home Farm, Callerton Hall Drive, High Callerton NE20 9TT

- 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 Chris Guibert, Transatlantic Consolidated Ltd against the decision of Northumberland County Council.
 - The application Ref 16/02302/FUL, dated 30 June 2016, was refused by notice dated 19 September 2016.
 - The development proposed is erection of detached 3 bedroom dwelling on site of previously approved triple garage. Demolition of stone boundary wall to allow access.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies;
 - the effect of the proposal on the openness of the Green Belt;
 - whether the proposal would preserve or enhance the character or appearance of the High Callerton Conservation Area;
 - The effect of the proposal on the living conditions of neighbouring residents with particular regard to outlook;
 - If the development is inappropriate, would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances required to justify the proposal

Reasons

Whether the proposal would be inappropriate development?

3. The appeal site lies within the Green Belt. Saved Policy C17 of the Castle Morpeth District Local Plan (2003) (LP) states that development of new buildings in the Green Belt will not be permitted. Policy C17 broadly reflects national policy on Green Belts as set out in the Framework. Paragraph 89 of
-

the Framework states that, other than in the case of a number of specified exceptions, the construction of new buildings within the Green Belt is inappropriate development. Two of the specified exceptions in Paragraph 89 are: limited infilling in villages and, limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

4. The parties agree that the proposal would constitute limited infilling. I see no reason to disagree. However, on the first exception, the Council argues that the appeal does not lie in a village. The Framework does not contain a definition of what constitutes a village. The appellant indicates that High Callerton may be considered a settlement under the Framework, however, the Framework does not contain such a definition either.
5. The site is part of a complex of farm buildings within a cluster of dwellings which form High Callerton. However, it is clear from the Council's representations that the appeal site lies within an area that is not a village for the purposes of the development plan. High Callerton does not have a settlement boundary within the LP. It extends beyond Darras Hall into the open countryside which LP Policy C17 seeks to protect from further encroachment. Moreover, I was able to see from my site visit that it has few of the key elements of a community one would expect to find within a village. As a result, the proposal would not constitute limited infilling in a village.
6. Turning to the second exception, the Framework defines previously developed land as land which is or was occupied by a permanent structure, including the curtilage of the developed land and associated fixed surface infrastructure. The appeal site is within a complex of buildings with originally formed part of a farm. The appellant indicates that the site would have originally been part of the farm yard area. Land that is or has been occupied by agricultural buildings is excluded from the definition of previously developed land in the Framework. Consequently, the proposal would not constitute the partial redevelopment of previously developed sites.
7. I conclude, therefore, that the proposal would be inappropriate development in the Green Belt. The proposal would, as such, conflict with LP Policy C17. The Framework advises that inappropriate development is, by definition, harmful to the Green Belt and should not be permitted except in very special circumstances. I attach substantial weight to the harm arising due to the inappropriate nature of the development.

Openness

8. Paragraph 79 of the Framework sets out a fundamental aim of Green Belt policy is to keep land permanently open. The appeal proposal would result in the provision of a dwelling along with an area of hardstanding on land which is currently partially grassed garden area. Whilst I recognise that consent has previously been granted for a garage on the appeal site, the garage has not been built. The proposal would, therefore, result in an incursion of built form where at present, there is very little. As a result, the proposal would have an impact on openness, in that it would be reduced.

9. I conclude, therefore, that the proposal would lead to a loss of the openness of the Green Belt, contrary to fundamental aim and purpose of Green Belt policy as set out in the Framework. Whilst the overall loss of openness would be limited when taken in isolation, it nevertheless adds to the harm through inappropriateness which I have identified above.

High Callerton Conservation Area

10. The appeal site is located within the High Callerton Conservation Area (CA). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. In this respect national policy on heritage assets, which includes conservation areas, is set out in the Framework.
11. The CA is largely characterised by a small grouping of stone and slate buildings dating from the 18th and 19th centuries though it has an older heritage, illustrated by the 16th century Rebellion House. The settlement has generally retained its spatial layout with its significance deriving from a relatively well preserved historic grouping of buildings of rural character and agrarian origins.
12. The appeal site comprises part of the rear garden of one such building which has been converted from its previous agricultural form into a dwelling. The property is one of several within the grouping of High Callerton Farm (also referred to by the parties as Callerton Home Farm) which have been converted for residential use. Whilst extensions and alterations to accommodate the modern conversion have been carried out, they have been done so with the use of sensitive materials and the farm generally retains its original layout and grouping which has developed over an extended period of time. The appeal site comprises land which would have previously been farm yard and its open character has largely been retained through its use as a rear garden with low boundary walls. As such, the appeal site makes a positive contribution to the significance of the wider CA.
13. The proposed dwelling would be finished in stone with a natural slate roof and timber fenestration. I also note that several design features of the property would replicate the existing buildings.
14. However, the proposal would introduce a new building into part of the site which has largely remained undeveloped and free from built form. It would introduce a significant modern addition within the complex, interrupting the established pattern of historical built form. Moreover, whilst long range views of the site would be limited, the dwelling would be close to the access road within the site. It would therefore partially obscure short range views of some of the surrounding buildings, in particularly the building know as Unit 3, and as a result, would diminish the extent to which the historical origins and hierarchy of the buildings is apparent.
15. I conclude, therefore, that the proposal would not preserve or enhance the character or appearance of the High Callerton Conservation Area. As a consequence, it would conflict with saved LP Policy C29 which states that in conservation areas, new buildings should preserve or enhance the quality and character of their location. In accordance with paragraph 132 of the Framework, great weight is to be given to the conservation of the heritage asset.

16. On the basis that the development proposed would be relatively small in scale, I consider that the harm to the CA's significance as a heritage asset would be less than substantial, as defined in paragraph 134 of the Framework. Accordingly, in succeeding sections, and as part of my reasoning for the fifth bullet of my main issue, I have considered whether there are any other public benefits which would weigh against this harm.

Living Conditions

17. The proposed dwelling would have a ridge height of around 6.2m and would be sited around 11m from windows which serve habitable rooms within the neighbouring properties of Newton Cottage and Callerton Home Farm.
18. The property would be set into the existing slope with the finished levels below that of the neighbouring properties. However, the proposal would result in a considerable expanse of largely unrelieved built form projecting above the boundary wall in reasonably close proximity to the primary living accommodation of those properties. As a result, the proposal would appear as an unduly overbearing and dominant feature in the outlook of those properties.
19. I conclude, therefore, that the proposal would have a harmful effect on the living conditions of neighbouring residents with particular regard to outlook. As such, it would conflict with saved LP Policy H15 which states that proposals should not conflict with adjacent land uses.

Other considerations

20. As I have found that the proposal would constitute inappropriate development in the Green Belt, consideration must turn to whether the harm by reason of inappropriateness, and the other harm I have identified above, would be clearly outweighed by other considerations and, if so, whether this would amount to the very special circumstances required to justify the proposal
21. In support of the scheme proposed, the appellant refers me to a 'fallback' position, based on planning permission having been granted for a detached triple garage on the site in 2014¹. Whilst the proposed dwelling would have a similar footprint to the previously approved garage, it would not serve a similar purpose. I therefore have no reason to consider that the appellant may seek to implement the garage should the current appeal fail and it therefore does not represent a 'fallback' to which I can afford any more than little weight.
22. In any event, the proposed dwelling would be higher than the previously approved garage and would not appear as an ancillary outbuilding associated within an existing dwelling. The effect of the proposal on the openness of the Green Belt and the character and appearance of the CA would be more harmful than the previously approved garage.
23. The appeal site lies close to Callerton Hall and associated garden walls and gateways, Callerton House, Newton Cottage and Rebellion House which are all Grade II Listed Buildings. I consider it reasonable to take the view that the appeal site lies to an extent within the setting of those listed buildings. Nevertheless, whilst the proposal would be a harmful addition to the historical special layout of the farmstead and detract from its contribution to the CA to which the listed buildings play a key role, given its scale, proximity to and

¹ 14/01588/FUL

enclosed location, it would have little effect on the surroundings in which the aforementioned listed buildings are experienced. Nor would the proposal detract from any particularly key views of those buildings. The Council has raised no explicit concerns with the effect of the proposal on the setting of those listed buildings and, on the evidence before me, I have no reason to disagree. Consequently, in accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, I find the proposal would preserve the setting of the listed buildings.

24. I have considered the effect of the proposal on highway safety, trees and the living conditions of neighbouring residents with regard to privacy and light. However, a finding of lack of harm in those respects would not be a benefit of the scheme and would not be a consideration that would add weight in favour of the proposal. They would not therefore lead me to any different overall conclusion.
25. The proposal would make a modest, but nevertheless important, contribution towards the housing supply in the area. The proposal would conflict with saved LP Policies C1 and H16 in that it would provide new housing outside of defined settlement limits in the open countryside which is not essential for a rural enterprise. However, the site is located close to the settlements of Ponteland and Darras Hall and has reasonable access to the services and facilities within those locations by a choice of transport modes. It would therefore accord with paragraph 55 of the Framework which seeks to locate housing in rural areas where it will enhance or maintain the vitality of rural communities. Such matters would be a public benefit in favour of the proposal and are matters to which I afford significant weight.

Conclusions

26. The proposed development would be inappropriate development and the Framework establishes that substantial weight should be given to any harm to the Green Belt. In addition, there would be a loss of openness, harm to a heritage asset and harm to the living conditions of neighbours.
27. Whilst I have afforded significant weight to the benefits of the development, having considered all matters raised in support of the proposal, I conclude that, collectively, they do not clearly outweigh the harm I have identified in relation to the Green Belt by reason of inappropriateness, as well as the loss of openness, harm to the CA and harm to the living conditions of neighbours. Accordingly, very special circumstances do not exist and the proposal would conflict as a whole with LP Policies C1, C17, C29, H15, H16 and the Framework.
28. For the same reasons, I also consider that such matters would not amount to a public benefit that would outweigh the harm that I have identified in relation to the effect of the proposal on the character and appearance of the CA for the purposes of paragraph 134 of the Framework.
29. For the reasons given above I therefore conclude that the appeal should be dismissed.

Jason Whitfield

INSPECTOR

