The Planning Inspectorate

Appeal Decision

Site visit made on 19 June 2017

by Jason Whitfield BA (Hons) DipTP MRTPI

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

Decision date: 20th July 2017

Appeal Ref: APP/P2935/W/17/3170827
Land South of West Chevington Farm Cottages, West Chevington, Northumberland NE61 5BB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Ms Sandra Blenkinsop against the decision of Northumberland County Council.
- The application Ref 16/02044/FUL, dated 2 June 2016, was refused by notice dated 29 September 2016.
- The development proposed is change of use to residential (C3 Use) by erecting approximately 4 dwellings.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved for future consideration. The application was accompanied by a block plan, layouts and elevations for indicative purposes. I have dealt with the appeal on the same basis.

3. Since the submission of this appeal, the Council has withdrawn the emerging Northumberland Local Plan Core Strategy Draft Plan from examination. As a consequence, I afford very little weight to the policies contained therein.

Main Issue

4. The main issue is whether the proposal would contribute towards sustainable patterns of development.

Reasons

5. The appeal site lies outside of any settlement boundary defined under Saved Policy C1 of the Castle Morpeth District Local Plan 1991 – 2006, 2003 (LP) and therefore within open countryside.

6. Saved Policy H16 of the LP states that new housing in the open countryside will only be permitted if it is required in connection with agriculture or forestry. The aim of the policy is to protect the rural character of the landscape. The proposed dwellings would not be related to such enterprises. As a result, the proposal would conflict with Saved LP Policy H16.

7. Policy H16 pre-dates the National Planning Policy Framework (the Framework) by around 9 years. Nevertheless, paragraph 215 of the Framework advises that policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework. Due weight should be given to such policies according to their degree of consistency with the Framework.

8. The appellant argues that LP Policy H16 does not take account of development that is permissible in rural areas under the Framework. Paragraph 55 of the Framework states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It goes on to state that isolated new homes in the open countryside should be avoided unless there are special circumstances.

9. A policy is not necessarily inconsistent because it adopts a particular approach not specifically referred to in the Framework. The thrust of Policy H16 is broadly consistent with the Framework insofar as it seeks to avoid unsuitable new housing in the open countryside. This is reflected in Framework paragraph 17 which recognises the intrinsic value of the countryside.

10. Consequently, LP Policy H16 is not out-of-date and is relevant to the determination of this appeal. As Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the appeal is determined in accordance with the development plan unless material considerations indicate otherwise, Policy H16 carries full weight.

11. The Framework is nevertheless an important consideration and Paragraph 6 of the Framework makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 17 of the Framework sets out that a core planning principle is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling. Paragraph 29 of the Framework states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

12. I was able to see from my site visit that West Chevington is a small, rural hamlet with no basic, everyday services and facilities. The closest services and facilities are located in the town of Amble, the villages of Hadston, Red-Row, Togston, Widdrington and Widdrington Station. These settlements are all in excess of 2km from the appeal site. As well as the distances involved, walking to the closest services and facilities would not be an attractive proposition for future residents given the lack of footpaths, street lighting and the rural nature of the roads involved in reaching them.

13. The appellant considers the appeal site to be in reasonable distance of local bus services. However, the closest bus stops are within Red Row and Widdrington which are again, a considerable distance from the appeal site. Whilst these stops offer regular services, future residents would be required to walk the aforementioned unlit rural roads to reach them. Walking such routes, particularly during evenings or periods of inclement weather, would likely be a significant deterrent to the use of public transport.

14. As a result, future residents would be almost entirely reliant on private car travel to access everyday services and facilities. Whilst the Framework recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas, the proposal would nevertheless fail to be

balanced in favour of sustainable transport and would not give future residents a choice about how they travel, in conflict with paragraph 29.

15. The appellant argues the proposal would help to support services in nearby settlements. I see no reason to disagree. Indeed, such a finding would reflect the approach taken by the Inspector in a recent appeal decision at Land South of Rock Cricket Club, Alnwick[1] referred to by the appellant. Paragraph 55 of the Framework recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

16. Nevertheless, there are no services and facilities to maintain within West Chevington. Moreover, the contribution of the proposal towards supporting services and facilities in other settlements would be limited as only 4 dwellings are proposed.

17. Furthermore, whilst not remote from other properties, the location of the appeal site is such that future residents would not have adequate opportunities to make the fullest possible use of public transport, walking and cycling and would be largely reliant on private car in order to support services within nearby villages and maintain or enhance the vitality of those communities. Thus, it would result in isolated new homes in the open countryside without special circumstances in conflict with paragraph 55 of the Framework and the proposal would not be consistent with the role, status and character of the settlement.

18. I conclude, therefore, that the proposal would not contribute towards sustainable patterns of development. The proposal would, as a result, conflict with LP Policy H16, as well as paragraphs 17, 29 and 55 of the Framework.

Other Matters

19. The appellant suggests there is a demand for the type of dwellings that would be provided and that they would be suitable for a range of occupants, including meeting the needs of the ageing population in the county. I have no reason to disagree. Indeed, the proposal would, overall, make a modest but nevertheless important contribution towards boosting the supply of housing in the area. This would be a benefit of the scheme.

20. The appellant indicates that whilst the Council can demonstrate a five year supply of deliverable housing land across the County as a whole, it is unable to do so in the South East Delivery Area where the appeal site is located.

21. Whilst I have limited evidence from either party on the current housing land supply position in Northumberland, even if the Council were unable to demonstrate a five year supply, I find the adverse impacts of the proposal would significant and demonstrably outweigh the benefits. As such, the proposal would fail to accord with the titled balance set out in the fourth bullet point of paragraph 14 of the Framework and the proposal would not, as a result, constitute sustainable development.

22. I note the Council has recently granted planning permission for 9 dwellings in West Chevington[2]. However, that proposal involved the conversion and alteration of existing buildings and the redevelopment of an existing farmstead.

[1] APP/P2935/W/16/3158223
[2] LPA Ref: 15/02908/FUL

23. In contrast, this appeal proposal involves the construction of new dwellings on land which is presently free of any significant built form. Thus, I afford the recent grant of planning permission little weight and, in any event, I have considered this appeal on its own merits.

24. I have had regard to the concerns of a local resident regarding the development of the adjacent properties. However, given my findings in respect of the main issue above, they do not lead me to any different overall conclusion.

Conclusion

25. For the reasons given above, and having considered all matters raised, I conclude that the appeal should be dismissed.

Jason Whitfield

INSPECTOR