The Planning Inspectorate

Appeal Decision

Site visit made on 12 May 2019

by T A Wheeler BSc (Hons) T&RP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 July 2019

Appeal Ref: APP/P2935/W/19/3223198
Land North of Lightpipe Farm, North Road, Longframlington

- 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 S Pringle on behalf of Dacre Street Developments against the decision of Northumberland County Council.
- The application Ref 18/02843/FUL, dated 8 August 2018, was refused by notice dated 5 February2018
- The development proposed is: change of use to residential (C3 use) comprising 24 no houses, access road and landscaping.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr S Pringle on behalf of Dacre Street Developments against Northumberland County Council. This application is the subject of a separate Decision.

Procedural Matter

3. Reason for refusal no 1 refers to the settlement of Swarland rather than Longframlington in relation to the visual impact of the development on the wider countryside setting. The Council acknowledges the error and the appellant, although unsure as to whether the Council intended to refer to Swarland, has based the appeal on the assumption that the decision notice should have referred to Longframlington. I am satisfied that no prejudice would be caused by me proceeding on the basis of the main issues as set out below.

4. The appellant has drawn my attention to a recent decision in relation to a proposal for outline planning permission for 42 dwellings on land south of Lightpipe Farm[1]. The decision of the Inspector was to dismiss the appeal, but not for reasons connected with the effect of the development on the character and appearance of the area. I invited both parties to make comments on the decision which they have done.

5. The appellant highlights similarities with the appeal in that both sites are edge of settlement. The need to accelerate housing delivery is noted, that opportunities to develop elsewhere within the settlement are limited, and

[1] APP/P2935/W/19/3223496 dated 19 June 2019

that similar developments are occurring in other parts of Northumberland. The Council considers that the development proposed in the other appeal is different, in that the housing would be contained within existing built development and set against a tree belt. I have taken these comments into account in my decision.

6. On 19 February 2019 a revised version of the National Planning Policy Framework (the Framework) was issued. The changes contained within the latest version have no bearing on the main issues in the appeal and therefore I have not sought the views of the parties on it.

Main Issues

7. The appellant has set out the history of the proposal, including pre application discussions with the Council which later proved to conflict with the decision on the application. I deal with those matters in the costs decision.

8. The main issues are therefore the effect of the development on the appearance of Longframlington and the surrounding rural area; and whether the proposal would make satisfactory arrangements for drainage.

Reasons

The effect of the development on the appearance of Longframlington and the surrounding area

9. The proposal is to develop land at North Road for residential purposes. The new houses would be developed in a field adjacent to the C106 lane and next to a recent housing development, St Laurence Court. Travelling along the lane, the current limits to the village are reached at St Laurence Court. Whilst the hedgerow limits the views, the experience is one of entering open countryside, with glimpses of the fields, forest plantations and hills lying to the north. Even given the approved development of housing on the opposite side of the lane, and current new houses around Meadow Lodge, the site will perform a function in containing a perception of urban sprawl in this part of the settlement. For these reasons, the site presently makes a positive contribution to the character and appearance of the area.

10. The proposal would comprise 24 dwellings in total, 14 as 2 storey houses and 10 bungalows. The houses would be finished in natural stone and slate, and in architectural terms would be similar to the dwellings within St Laurence Court. Access would be gained both through the existing development and via a new access onto the lane. The appellant describes the existing development as phase 1 and the proposal as phase 2.

11. In addition to the housing, it is proposed that the field adjacent to St Laurence Court and the A697 road would become a paddock. An existing landscape bund has been formed along the boundary of St Laurence Court and the A697, and it is proposed that this would be continued around the outer perimeter of the proposed paddock. The drawing showing the proposed site plans[2] shows a typical section of the landscape bund which states that it would have a total width of 15m. It does not confirm heights and comments that the type of landscaping would be local and native

[2] Drawing ref – AL(0)11 Rev:6

planting centrally and the larger trees located to the outside of the bund. A landscape belt would be provided around the outer perimeter of the proposed housing.

12. The landscape around the village is not subject to any special designation. However, that does not mean it is of no value. On my site visit, I spent time taking in a number of views towards Longframlington to judge whether the development would be obtrusive in the landscape and what effect there would be on the rural setting of the village. In considering these effects I have taken into account an extract from the Alnwick Landscape Character Assessment Supplementary Planning Document[3] (the SPD).

13. When viewed from the open countryside beyond the site the visual effects would be significant. I chose the roadside verge opposite the layby on the A697 at Framlington Gate to assess the level of visual impact. In this view, the proposal would substantially extend the horizontal spread of the village, leading to a significantly increased perception of urbanisation. Moreover, the appeal site is on land rising from the lane, and as a result of this prominence, I am in no doubt that the proposal would have a significantly greater visual impact than other housing approved in the vicinity, wherein only the roofs of the houses within St Laurence Court are currently visible, together with one of the houses within the approved development close to Meadow Lodge. The approved housing at North End Farm, on the opposite side of the C106, would not cause the same level of visual impact as the appeal proposal due to the rise in the land within the appeal site, and the mature hedgerows along the lane, and the screening that these would provide.

14. I acknowledge that the development would have little visual impact when viewed from areas in the vicinity of Swarland. In some other views too the proposal would have very little effect, if any, due to the screening provided by the extent of the existing built form of the village. I have also taken into account that not all the houses within the proposal would be 2 storey and over a period of say 10 years the proposed landscaping could be expected to mature and provide an element of screening, both to the proposal and the existing development.

15. Improving the screening to the existing housing at St Laurence Court would have some benefits in terms of mitigating the visual impact of the development. However, this needs to be balanced against the combined level of visual impact which would result were the proposal to be allowed. These matters would not overcome the harmful visual effect of the proposed development that I have described, and would not serve to mitigate the substantial erosion of the rural setting of the village that it would cause.

16. Longframlington has recently been subject to significant housing development and there are approved schemes yet to be built. The presence of those developments and sites benefitting from planning consent, some of which lie outside the former settlement boundary, do not change my conclusions regarding the proposal, the effect it would have on the visual

[3] Adopted 2010

spread of Longframlington and the impact that it would have on the countryside.

17. The SPD is of limited value in assessing the proposal since it relates to the overall character of a large landscape area composed in many parts by rolling farmland. To the extent that the proposal would result in increased urbanisation and visual intrusion due to the landscape setting, there would clearly be harm to landscape character, although that is hard to quantify given the extensive nature of the SPD. To that extent the Alnwick Core Strategy Development Plan Document[4] (the ACS) Policy S13 would not be complied with.

18. ACS Policy 14 seeks to control the development in the open countryside by ensuring that new development complies with sustainability criteria and a sequential test approach set out in Policies S3 and S2. These policies are not wholly consistent with the approach in the Framework however in determining applications decisions must be made in accordance with the development plan unless material considerations indicate otherwise[5].

19. Accordingly, I consider the Framework to carry greater weight in these matters. It requires developments to recognise the intrinsic character and beauty of the countryside[6] and seeks to ensure that development is sympathetic to local character and landscape setting. For the reasons given I find that the proposal would not accord with these aspects of the Framework.

20. I therefore conclude that the proposal would have an unacceptable effect on the appearance of Longframlington and the surrounding rural area, in conflict with ACS Policies S13 and S14, which seek to protect the character of the landscape and control new development in the countryside.

The arrangements for drainage

21. The Council's statement of case does not expand on its second reason for refusal which asserts that the proposal does not properly address how the site would be drained. The planning officer report states that the lead local flood authority (LLFA) objects to the application since there is no permission to connect into an off-site watercourse for the disposal of surface water.

22. The appellant refutes the Council's statement, and has provided copies of email correspondence, which concerns the ownership of a ditch within Harrogate Lane near to the site. From what I can tell, the matter seems to have progressed as far as the appellant informing the local authority that the ditch is within the Council's ownership.

23. The site is located within Flood Zone 1 and the appellant has undertaken a Flood Risk Assessment (FRA)in accordance with the Planning Practice Guidance (PPG). It is clear to me that the LLFA objected to the proposal initially, but I have no information from the Council to confirm that the LLFA were consulted on the most up to date version of the FRA, and if so, what the response was.

[4] Adopted 2007
[5] Planning and Compulsory Purchase Act 2004 section 38 (6)
[6] Framework paragraph 170 b)

24. On the basis of the information before me, I conclude that the appellant had substantially resolved any concerns regarding this matter at the time of the determination of the application by the Council. It appears to me that any remaining matters of substance in relation to drainage could have been addressed via planning condition.

25. I therefore conclude that there would be no conflict with ACS Policy S3 or the Framework insofar as they seek to ensure that development does not give rise to increased risk of flooding.

Other Matters

26. The Framework and PPG support the delivery of housing in rural areas where this would promote sustainable development. Councils are encouraged to support rural exception sites where affordable housing will meet local needs and consider market housing where that will help to facilitate this[7]. In addition, the Framework recognises that new housing, in sustainable locations, can help support the vitality of rural communities.

27. It is unclear as to whether the appellant is proposing any affordable housing. Although the site layout includes a reference to 4 two bed bungalows (affordable units) the application form describes all of the 24 units as market housing. The position appears to be that if permission is granted the appellant accepts that there will be a requirement for affordable housing and a section 106 planning obligation will be entered into to secure such provision. I have no such obligation before me and to make the completion of a section 106 agreement the subject of a planning condition would be contrary to the unambiguous advice of the Government's Planning Practice Guidance[8].

28. Therefore, were I to allow the appeal there is no guarantee any of the units to be provided would be affordable. Moreover, I note that the Council contends that other sites exist in the locality to meet this need, and this position has not been contested by the appellant.

29. I also acknowledge the proposal to incorporate a play area within the central open space within the development. Whilst this may be of some benefit to residents of the proposed development and St Laurence Court, and possibly other residents in the area, very little information has been supplied as to what this might comprise. Although providing a play area may be a positive factor, it is one to which I can only give limited weight and does not overcome my other concerns regarding the proposal.

30. I have also taken account of the Housing White Paper and the Government's stated objective of increasing the supply of homes. However, given the results of the Housing Delivery Test measurement for Northumberland of 197% of net homes delivered over number required this matter does not carry any significant weight in favour of the proposal.

[7] Framework paragraphs 77 and 78
[8] Use of Planning Conditions Paragraph: 010 Reference ID: 21a01020140306 Revision date: 06 03 2014

Planning Balance and Conclusion

31. I have found that the proposal would cause harm in terms of the main issue of the effect on the appearance of Longframlington and the surrounding rural area, but not with regard to the arrangements for drainage. I have balanced these considerations against the policies in the development plan and the Framework, and those positive factors that weigh in favour of the proposal. Having regard to these matters I find that the harmful effects of the proposed development outweigh its benefits.

32. For the above reasons and taking account of other matters raised, the appeal is dismissed.

Tim Wheeler

INSPECTOR