The Planning Inspectorate

Appeal Decision

Site visit made on 20 August 2019

by Patrick Hanna MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2019

Appeal Ref: APP/P2935/W/19/3230918
51 Station Road, Stannington, Morpeth NE61 6NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by Altoria Development Ltd against Northumberland County Council.
- The application Ref 18/04275/OUT is dated 16 November 2018.
- The development proposed is for nine residential dwellings.

Decision

1. The appeal is dismissed and outline planning permission is refused.

Procedural Matters

2. The application was submitted in outline, with all details reserved. I have dealt with the appeal on that basis, treating proposed plans as being indicative.

3. The appeal is made against the failure of the Council to determine the application within the prescribed period. Following the submission of the appeal, the Council provided a statement outlining their concerns in relation to the proposal. The Council has confirmed that had it been in a position to determine the application, it would have been refused for reasons relating to; (1) unnecessary and unjustified development in the open countryside, (2) inappropriate development, which is not limited infill, harmful to the Green Belt, where there are no very special circumstances to outweigh the harm, and (3) the cumulative impact would diminish the rural, dispersed and open character of the site and surroundings.

Main Issues

4. In light of the above, the main issues are:
   (a) whether the site is within the general extent of the Green Belt; if so,
   (b) whether the proposal would be inappropriate development in the Green Belt;
   (c) the effect on the openness of the Green Belt;
   (d) the effect on the character and appearance of the area, including cumulative effects, and justification for effects; and
   (e) if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by

other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether the site is within the general extent of the Green Belt

5. The Green Belt around Morpeth was extended by saved Policy S5 of the Northumberland County and National Park Joint Structure Plan to cover Stannington Station Road. However, only a general extent for the Green Belt was provided and no precise internal or external boundaries have since been adopted. As a consequence, the Council's contention that Stannington Station Road is 'washed over' by Green Belt has been questioned by the appellants. Therefore, as in previous appeal decisions[1] that have been referred to me, which in turn reference the Secretary of State's decision at Avon Drive[2], it is necessary for me to assess the site's contribution to the five purposes of the Green Belt as defined by paragraph 134 of the National Planning Policy Framework.

6. As Stannington Station Road is not a town or large built-up area, and is some distance from Morpeth, the appeal site's direct contribution to the first, second or fourth purposes of the Green Belt is limited.

7. The third purpose served by Green Belts is to assist in safeguarding the countryside from encroachment. The appeal site comprises two parts. First, the western half of the appeal site contains a substantial number of outbuildings and hardstandings, with caravan storage to the north-west. This part of the appeal site is visually, and apparently operationally, associated with 51 Station Road, such that it would not contribute to the third purpose. The second, eastern part of the appeal site is a field in open countryside bounded by overgrown hedges, predominantly Leylandii to the three sides not fronting the road. This enclosure of the countryside does not in itself prevent the site from being visually associated with the countryside. Rather, from my observations, the eastern part of the appeal site reads as being part of the wider area of open countryside between the dwellings and outbuildings at 51 and 57 Station Road. Importantly, the field does not read as being part of the built environment or the settlement. Accordingly, I find that the eastern part of the appeal site contributes to the third purpose.

8. The fifth Green Belt purpose is to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Notwithstanding the appellants claim that the majority of the appeal site is already urban land, the inclusion of the eastern half of the appeal site within the Green Belt would direct development to urban areas, including potentially suitable sites within Morpeth, thereby serving the fifth purpose.

9. Until such time as the extents of the Green Belt are formally defined, and in the absence of any other evidence to the contrary, I must consider the characteristics of the appeal site and the proposal on their own merits. In conclusion, on the balance of probabilities, I find that, as the appeal site contributes to two of the five purposes served by Green Belts, the site is within the general extent of the Green Belt as established by saved Policy S5 of the Joint Structure Plan.

[1] Appeal Refs: App/P2935/W/17/3167263, APP/P2935/W/17/3167852
[2] Appeal Ref: APP/C2741/W/16/3149489

Whether the proposal is inappropriate development in the Green Belt

10. Saved Policy C17 of the Castle Morpeth Local Plan and paragraph 145 of National Planning Policy Framework set out categories of development which may be regarded as not inappropriate in the Green Belt, subject to certain conditions. New buildings within the Green Belt are inappropriate unless, amongst other things, they represent limited infilling in villages or the partial or complete redevelopment of previously developed land in certain circumstances.

11. I have been referred to the Council's definition of infilling, but not provided with a copy. In the absence of such, I do not have any specific definitions before me of 'limited' or 'infilling'. Notwithstanding this, in general terms, the number of dwellings proposed could be considered as 'limited' in the sole context of the number of dwellings in the wider Stannington Station Road. However, the two terms are interdependent, and should be read together. On a street developed in a predominantly linear manner, a reasonable test of 'infilling' would include the relationship of the appeal site to the adjacent and adjoining developments. In this case, the proposed dwellings would relate to 51 Station Road. However, to the east, the development would relate to open countryside rather than to any buildings, as also found above. Consequently, the proposal would not represent limited infilling in villages.

12. As a substantial part of the appeal site is a field, the proposal as a whole cannot be considered as partial or complete redevelopment of previously developed land. Accordingly, in conclusion, the proposal would be inappropriate development in the Green Belt contrary to saved Policy C17 of the Castle Morpeth Local Plan and paragraph 145 of the Framework.

Openness of the Green Belt

13. The essential characteristics of Green Belts are their openness and their permanence, as set out in paragraph 133 of the Framework. Notwithstanding that the proposal is in outline or the low height of the indicative single storey dwellings, the visual intrusion arising from the very presence of dwellings and associated infrastructure would have a negative effect on the openness of the Green Belt. This would particularly be the case on the eastern part of the site that currently has no buildings or other development on it, despite boundary hedges being indicatively retained. Consequently, harm to openness would be caused by the siting of new buildings, in addition to that arising from the inappropriate nature of the development.

14. On the basis that I have characterised at least a substantial part of the appeal site as open countryside rather than as part of the village or settlement, the proposed development would lead to encroachment of development into the countryside and would impact upon the related Green Belt purpose. As such, I conclude that the development would lead to a significant adverse effect on the openness of the Green Belt, contrary to paragraph 133 of the Framework.

Character and appearance, including cumulative effects, and justification for effects

15. The development would erode the contribution that the field makes to the open countryside along the north side of Station Road. Although the indicative designs of the proposed dwellings and associated infrastructure could respect local vernacular and suitable landscaping could be incorporated, the reduction in open countryside along the street frontage would have a negative impact on

the rural character and appearance of Station Road. Whilst the impact would be localised, the effect would nonetheless be significant and adverse.

16. In coming to this conclusion, I have noted the extent of new development along the southern side of Station Road, opposite the appeal site, where I saw a number of dwellings, in various stages of construction, not shown on the submitted plans. Both parties reference these; the appellant in terms of consistency and precedent, and the Council in terms of cumulative effects. I have noted the permission for 27 dwellings at Stannington Nursery, and that an assessment of planning history and the effect on the Green Belt was made by the Council. Notwithstanding any questions of consistency, which are answerable by the Council, I must determine the appeal on its own merits. The appeal proposal would be seen in the context of the new developments along the south side of Station Road. Cumulatively, these would create a significantly higher density of development on both sides of Station Road than existing. Thereby, in my view, a tipping point would be reached where this part of the street would become substantially more suburban in character. I do not consider that these previous permissions should justify a further erosion of the rural character of the street that would arise from the appeal proposal.

17. Separate to assessment of the development under Green Belt considerations, the character and appearance of the open countryside is furthermore protected by saved Policy H16 of the Castle Morpeth District Local Plan which only permits new houses in the countryside that can demonstrate essential need, for farming or other rural purposes. No such justification has been put forward.

18. Accordingly, the proposal would have a significant adverse effect on the character and appearance of the area, including cumulative effects, and without justification for such effects, contrary to saved Policies H15 and H16 of the Castle Morpeth District Local Plan and the National Planning Policy Framework. The proposal would also be contrary to Policy 10 of the submission version of the Stannington Parish Neighbourhood Plan, in so far as this version that is before me is relevant to this appeal. Together these require development to be well designed and appropriate within its context, amongst other considerations.

Other considerations

19. Submissions by the appellant suggest that draft policies and an inset map for Stannington Station in the emerging Northumberland Local Plan would include the appeal site within identified Green Belt, whereas preceding versions excluded it. Either way, this is a matter most appropriately addressed through the development plan examination and adoption process, particularly given the suggestion of unresolved objections. Instead, I must consider the appeal proposal on its merits against the current policy framework. Although the relevant policies for this proposal date from 2003 and 2005, I have above found those policies to have a considerable degree of consistency with the Framework, in so far as they relate to the main issues in this appeal, for the reasoning already provided. As such I attach moderate weight to this matter in support of the proposal.

20. The appellant considers that the indicative design of the development, being low density, low impact and discreet, is more acceptable than previous permissions in the locality, such as that at Stannington Nursery, and is therefore appropriate development. However, notwithstanding comparison with

other permissions granted, my above conclusions find harm to the Green Belt and to the character and appearance of the locality arising directly as a result of the appeal proposal. I therefore attach limited weight to this matter in support of the appeal scheme.

21. I accept that the dwellings would be intended to be easily adaptable as lifetime homes, and made available for disabled and elderly occupiers, in response to local demographic change. It is also argued that the draft local plan should provide housing for different occupiers, such as the elderly. Furthermore, whilst currently in outline, the proposed dwellings would adopt the principles of Secured by Design and Housing Quality Indicators. I also note that the separation distances between dwellings could be adequate. The proposal would also utilise and contribute to local services, and use of public and sustainable transport. However, these matters result in there being no additional harm to that arising from the development proposed. Accordingly, I have attached limited weight to these matters in support of the appeal.

Other matters

22. The appellant has highlighted issues concerning the handling of the planning application by the Council. However, these are not matters within my jurisdiction, which is limited to the merits of the appeal proposal.

23. Objections to the proposal have been received from Stannington Parish Council and a number of third parties. I have considered all matters raised as part of my above assessment.

Conclusion

24. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. In addition there are adverse impacts on openness, the Green Belt purpose of safeguarding the countryside from encroachment, and character and appearance of the area, including cumulative effects, and without justification. Substantial weight should be given to the harm to the Green Belt. Very special circumstances will not exist unless the harm to the Green Belt and any other harm are clearly outweighed by other considerations.

25. As outlined above, I give only limited or moderate weight to the other considerations and, even when taken together, these do not outweigh the harm that the proposed development would cause. The substantial weight to be given to Green Belt harm is not clearly outweighed by the other considerations sufficient to demonstrate very special circumstances. Therefore, for the reasons given and having had regard to all other matters raised, the appeal is dismissed and outline planning permission is refused.

Patrick Hanna

INSPECTOR