The Planning Inspectorate

Appeal Decision

Site visit made on 27 January 2020

by E Symmons BSc (Hons), MSc

an Inspector appointed by the Secretary of State

Decision date: 11 February 2020

Appeal Ref: APP/P2935/W/19/3239469
Hemmel South of Field Head, Causey Park, Morpeth NE65 8TG

- 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 Middleton against the decision of Northumberland County Council.
- The application Ref 19/01668/FUL, dated 23 May 2019, was refused by notice dated 21 August 2019.
- The development proposed is for conversion of an existing hemmel to a single residential unit.

Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council cite Green Belt Saved Policy C17 of the Castle Morpeth District Local Plan 1991-2006 (2003) (CMDCLP) within their reasons for refusal. The heading text of this policy states that "development involving the construction of new buildings in the Green Belt will not be permitted". As this proposal would not be a new building, paragraph 146 of the Framework is more appropriate as it refers to other forms of development which specifically include reuse of buildings. I therefore give limited weight to Policy C17 within this decision.

3. The appellant suggests that Policy H19 should be given little weight as it requires that buildings in the countryside considered for conversion do not have an alternative business, tourism or employment use. As this policy is not consistent with the National Planning Policy Framework 2019 (The Framework) I concur with this view. I have therefore determined the proposal within the context of paragraph 79 of the Framework which has a presumption against the development of isolated homes in the countryside.

4. The emerging Northumberland Plan is at an early stage in its adoption, is not cited within the reasons for refusal or expanded upon within the officer report. I therefore give the policies therein little weight within this decision.

5. The site address within the banner heading above is taken from the appeal form as this better describes its address.

Main Issues

6. The main issues are:

- whether the proposal would be inappropriate development in the Green Belt;
- the effect of the development on the openness of the Green Belt and the purposes of including land within it;
- whether the development would result in an isolated dwelling in the countryside;
- if it is inappropriate development, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Whether inappropriate development in the green belt

7. The proposal is within the Council's designated Green Belt as set out within Saved Policy S5 of the Northumberland County and National Park Joint Structure Plan 2005 (Structure Plan). Paragraph 145 of the Framework states that the main purpose of the Green Belt is to keep land permanently open and, other than for listed exceptions, the construction of new buildings in the Green Belt should be regarded as inappropriate. The appellant claims that the proposal is not inappropriate development in the Green Belt as it falls within an exception within Paragraph 146 part (d). This states that within the Green Belt the reuse of buildings, provided they are of permanent and substantial construction, is not inappropriate.

8. The appeal structure is a part open fronted, timber framed and slate-roofed agricultural building. It sits within a field currently grazed by sheep which is some distance along a rough track leading from the adjacent unclassified road. During my site visit I observed that the building has lost much of its exterior cladding; the roof at one end had begun to collapse due to the poor condition of one of the supporting uprights; slates were missing from the roof; many of the timbers showed signs of decay and there was no visible floor.

9. The appellant contends that the building is permanent having been present since the 1950s. However, to allow for its conversion to a dwelling, considerable structural work would be required. A Structural Assessment[1] (undated) has been submitted. To maintain the integrity of the building this recommends replacement of the cladding; replacement of some main structural members in whole or in part; addition of bracing to main structural members and repairs to the roof. It would also involve construction of an independent framework within the fabric of the existing building for the floor and wall structures including the doors and windows.

10. Although the building at one point had a degree of permanence, this is diminishing as evidenced by my observations during my site visit. Even if the building were to be retained for agricultural use, structural repairs would be required to ensure that it was weatherproof and stable. I therefore do not

[1] KB Surveying Design and Build

consider that the building, in its present form, is substantial. The proposal therefore does not fall within the exception within Paragraph 146 of the Framework and would represent inappropriate development in the Green Belt.

11. Paragraph 144 of the Framework requires substantial weight to be given to any harm to the Green Belt. The proposal would also conflict with Policy S5 of the Structure Plan, Policy C1 of the CMDCLP and Policy LNP3 of Longhorsley Neighbourhood Plan 2017-2031 (2018) (Neighbourhood Plan) with respect to a presumption against building in the Green Belt.

Openness

12. The proposed dwelling itself would not result in any substantial harm to the openness of the Green Belt as it would be on the same footprint and scale as the existing building and incorporate windows within the areas of the building which are currently open. However, a residential dwelling would be accompanied by construction of associated infrastructure including an access road, car parking and refuse storage in addition to any boundary treatments and landscaping. No details of these have been submitted. Additionally, use of the building as a dwelling would affect the character of the area with associated vehicle movements and parking and lighting evident after dark.

13. The building is currently situated within open fields with only an informal route leading from the highway to the building. The proposal would be isolated from other buildings in the vicinity and would represent and appear as a more intensive use. This would cause significant harm to the openness of the Green Belt and constitute inappropriate development which according to paragraph 143 of the Framework is, by definition, harmful. This harm carries substantial weight within the planning balance.

Whether an isolated dwelling in the countryside

14. The parties agree that the building is within the open countryside. Policies C1 and H16 of the CMDCLP have a presumption against development in the open countryside unless it can be justified as essential to the needs of agriculture or forestry. In addition to provision of dwellings for essential rural workers, paragraph 79 of the Framework lists other exceptions to the presumption against isolated homes in the countryside. One such exception is where development would reuse redundant or disused buildings and enhance its immediate setting. As the current building is in a state of disrepair, its reinstatement and reuse would enhance its immediate setting. This lack of conflict with paragraph 79 of the Framework is a neutral factor within my planning balance.

Other considerations

15. The Framework states that inappropriate development in the green belt should not be approved except in very special circumstances. The proposal would have an appropriate choice of materials, provide acceptable living conditions for future occupiers, would not harm the living conditions of neighbouring occupiers nor would it interfere with management of adjacent farmland. Additionally, concerns raised by consultees regarding highways, flood risk and ecology could be resolved through application of planning conditions. This identified lack of conflict with policy has a neutral impact on the planning balance.

Green Belt planning balance

16. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that all development must preserve this openness. The development would constitute inappropriate development which would harm the openness of the Green Belt. This carries substantial weight within my decision. The proposal conflicts with Policies S5 and C1 of the Structure Plan, Policy LNP3 of the Neighbourhood Plan and Policy H16 of the CMDCLP which also carries substantial weight.

17. The very special circumstances which would clearly outweigh the harm to the Green Belt by reason of inappropriateness and loss of openness have not been shown to exist. The proposal would therefore conflict with local plan policies and those of the Framework when considered as a whole.

18. For the reasons stated above, the appeal is dismissed.

E Symmons

INSPECTOR