



Appeal Decision

Site Visit made on 29 July 2021

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2021

Appeal Ref: APP/P2935/W/21/3271784

Land West of The Cedars, North Road, Longframlington, Northumberland

- 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 Peter Sutherland against the decision of Northumberland County Council.
 - The application Ref 20/00923/FUL, dated 16 March 2020, was refused by notice dated 13 October 2020.
 - The development proposed is erection of four dwellinghouses (C3 use).
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by the appellant against Northumberland County Council. This costs application is the subject of a separate Decision.

Procedural Matters

3. On 20 July 2021, the Government published a revised National Planning Policy Framework (the Framework). Other than a change to the relevant paragraph numbers, the revised Framework does not materially alter the national policy approach in respect of the main issues raised in this appeal and therefore no parties have been prejudiced by its publication.
4. The emerging Northumberland Local Plan (NLP) has not yet been formally adopted, and whilst reference has been made to it in the various appeal documents, no policies from it are referred to in the Council's decision notice. As I do not know whether the relevant NLP policies will be adopted in their current form, or at all, they carry very limited, non-determinative weight in this appeal. Accordingly, I have considered the appeal against the development plan currently in force.

Main Issue

5. The main issue is the effect of the development on the character and appearance of the area.

Reasons

6. The appeal site forms part of a larger open agricultural field to the west of the C106 lane at North End, beyond the edge of the village. Notwithstanding a recent housing development of 4 houses to the north and established low-density ribbon development on the east side of the lane, the appeal site is read as open countryside.

7. The main built up confines of the village lie further to the south and includes recent housing development around the junction with the A697 and Front Street. I am informed that a further 9 houses have been approved on the east side of the C106 at North End Farm, which would extend the development on that side of the lane further south.
8. The existing development at St Laurence Court has a particularly strong urbanising influence on the southern section of the C106. However, beyond this the lane becomes distinctly more rural in character until the point of the 4 new dwellings to the north of the appeal site. This is largely due to the undeveloped agricultural land on the west side of the lane, and the extensive views across it towards the distant hills. The unbroken roadside hedge that defines the eastern edge of the site is also a strong reinforcing component of this rural character. Furthermore, the planning permission at North End Farm means that this undeveloped land, including the appeal site, will perform an increasingly important function in curtailing coalescence between North End and the incremental sprawl of the village that has occurred to the south. Thus, despite not being subject to any special landscape designation, the appeal site presently contributes positively to the character and appearance of the area.
9. I note that the proposal has been substantially revised from a previously refused scheme of 24 dwellings, which was dismissed at appeal¹. Although a visual gap would remain to St Laurence Court, the proposal would nevertheless lead to an urbanising incursion into the agricultural field that would detract from its inherent open and undeveloped character. Moreover, the removal of a section of the roadside hedge to facilitate access, along with the introduction of residential development with extensive areas of hard surfacing, ornamental gardens, and requirements for a service apron, footway and street lighting, individually and cumulatively with existing and permitted development to the north and south, would harmfully erode the rural qualities of this part of North End when viewed from the C106. The effect would be exacerbated by a perpetuation of a layout and appearance of development which contrasts with that on the opposite side of the lane, where houses better reflect the rural character of the area through more generous spacing and being less regimented in layout and appearance. In these regards, the proposal would not satisfactorily reflect or enhance local character and distinctiveness. The negative effects would not be mitigated by use of materials and any new and replacement boundary vegetation that could be secured.
10. In wider landscape terms, the site is within a rolling farmland Landscape Character Area. The openness and undeveloped character of the farmland contributes to the area's essentially rural character. Because of its comparatively modest scale, the proposal would have a limited impact on long distance views from the A697 and from Public Right of Way 123/010. I am also referred to a potential woodland planting scheme along the north-western edge of the field, which in time, may further limit views from those receptors. However, by its very nature, the proposal would not respect the open landscape character.
11. Whilst recent planning approvals have realised incursions into the open countryside under a similar policy context, each case has its own unique circumstances in terms of the proposal submitted, and the relationship between

¹ Appeal ref: APP/P2935/W/19/3223298

the respective site and settlement. The development most comparable to the appeal scheme is that immediately to the north. However, that decision of the Council is not binding on this appeal, and if anything, it serves to demonstrate the harmful effects that would result from the proposal. In any event, just as each of those cases were considered on their own merits, I have necessarily reached my own conclusion on the effects of the proposal in this particular location based on the evidence before me and my own observations.

12. Overall, whilst the impact would be localised, I conclude that the proposal would have an unacceptable adverse effect on the character and appearance of the area. This is contrary to Policy S13 of the Alnwick Core Strategy (2007) (ACS), which seeks to protect the character of the landscape. Furthermore, although not expressly cited in the refusal reasons, it is contrary to Policy S16 of the ACS, which expects development to reflect local character and distinctiveness. Also, as the proposal would not accord with any of the forms of development deemed acceptable under Policy S14 of the ACS and adverse environmental effects have been identified, the proposal is contrary to Policy S14 of the ACS.

Other Matters

13. Despite the additional information submitted with the appeal, the Council maintains the view that the proposal does not properly address how the site would be drained. However, it appears that the concerns are in relation to the absence of supporting technical information, rather than with the methods of drainage proposed. On the evidence before me, I can see no reason why any remaining matters in relation to drainage could not be controlled by appropriate conditions, and I find no conflict with the development plan in this regard. However, this does not outweigh my findings in relation to the main issue.
14. There is no dispute that the Council can demonstrate a five-year supply of deliverable housing sites. Notwithstanding this, the presumption in favour of sustainable development at paragraph 11 d) of the Framework is relevant where the policies which are most important for determining the application are out of date. I consider the most important policies for this decision are S13, S14 and S16 of the ACS.
15. Policy S14 relates to the control of development in the open countryside, but its restrictions insofar as they are relevant to housing supply, including a sequential test approach, are more onerous than in paragraphs 79 and 80 of the Framework. I therefore consider that this policy is out of date for the purposes of this appeal.
16. Nonetheless, policies S13 and S16 have a high degree of conformity with the Framework, which amongst other things at paragraphs 130 and 174, requires that developments are sympathetic to local character, including the surrounding built environment and landscape setting; and that decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside. I do not therefore consider these policies to be out of date. Accordingly, and given the centrality of these matters to the circumstances of the case before me, I do not consider the small basket of policies when taken as a whole and in the round to be out of date. The proposal does not therefore benefit from the presumption in favour of sustainable development.

Planning Balance and Conclusion

17. The Government's objective is to significantly boost the supply of housing and the proposal would provide 4 homes in a location with adequate access to services. However, given the small scale of the proposal and the supply of deliverable sites in the District, the provision of the additional housing attracts modest weight. There would also be limited social and economic benefits from construction, support for local services and expenditure from future occupiers.
18. Conversely, the development would cause harm to local character and appearance, and subsequently would conflict with Policies S13 and S16 of the ACS. I have afforded significant weight to this conflict. It would also conflict with Policy S14 of the ACS to which I have afforded limited weight. These matters outweigh the benefits associated with the proposed development.
19. The proposal would therefore conflict with the development plan taken as a whole and there are no other considerations, including the Framework, that outweigh this conflict.
20. Accordingly, and for the reasons given above, I conclude that the appeal should be dismissed.

A Caines

INSPECTOR