



Appeal Decision

Site visit made on 7 June 2024

by D Hartley BA (Hons) MTP MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th June 2024

Appeal Ref: APP/P2935/W/23/3335628

Horsley Banks Farm, B6528 Horsley Main Road Through Village, Horsley, Northumberland, NE15 0NS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (the Act) against a refusal to grant planning permission.
 - The appeal is made by Mr W Collard against the decision of Northumberland County Council.
 - The application Ref 23/03240/FUL, dated 24 August 2023, was refused by notice dated 6 November 2023.
 - The development proposed is change of use of stable building to 1 No. residential dwelling with associated access and parking.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. A new version of the National Planning Policy Framework (the Framework) was published on 19 December 2023. The parts of the Framework most relevant to the appeal have not substantively changed from the previous iteration. Consequently, this update does not fundamentally alter the main parties' cases, and it is not necessary to seek further comments. References hereafter in the decisions to the Framework are to the December 2023 version.

Main Issues

3. The appeal site is in the Green Belt and so the main issues are: -
 - whether or not the proposal would be inappropriate development in the Green Belt including its effect on the openness and purposes of the Green Belt,
 - whether the proposal would accord with the Council's development plan strategy for the location of new dwellinghouses,
 - the effect of the development on the character and appearance of the area including whether it would preserve or enhance the character or appearance of the Horsley Conservation Area,
 - whether there would be sufficient outside amenity space for occupiers of the proposed dwellinghouse, and,
 - if the development is inappropriate, 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 development.

Reasons

Whether inappropriate development in the Green Belt

4. The appeal proposal is for the change of use of a stable building. In this regard, it is necessary that I consider the proposal against paragraph 155 (d) of the Framework which states that the re-use of buildings is not inappropriate development if they are of permanent and substantial construction, preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposal also includes a material change of use of the land and, in this regard, paragraph 155 (e) of the Framework is relevant which states that material changes in the use of the land are not inappropriate if they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
5. I have been provided with the planning history relating to the appeal building. While the Council considers that the proposal is *'tantamount to'* the erection of a new dwellinghouse in the Green Belt, the Council nonetheless indicate that retrospective planning permission 22/01250/FUL¹ for the stable building was implemented. Indeed, the Council states that on 10 February 2023 *'it was evidently being used as a stable building to house horses and had been altered to accurately reflect the plans.'* In addition, it is noteworthy that photographs attached to the appellant's statement of case show the appeal building with stable doors and wooden shutters and there is hay within at least one stable.
6. This is an appeal made under section 78 of the Act. The description of development relates to a proposal for a change of use of a stable building. There is nothing before me to suggest that the planning permission for a stable building has not been implemented. It is necessary that I determine this appeal based on what is proposed and on the evidence that is before me. Should the Council consider that there has been a breach of planning control since the approval of planning permission 22/01250/FUL for a stable building, this would be matter for it to separately investigate using its planning enforcement powers. That said, it is noteworthy that the building was in use for the keeping of horses as part of my site visit.
7. The use of the appeal building as a dwellinghouse would not cause harm to the openness of the Green Belt in spatial or visual terms. Indeed, the building already exists, and planning permission has been approved for it to be used for the stabling of horses.
8. Notwithstanding the above, the land around building would be used for the parking of vehicles and for the likely storage of various domestic paraphernalia and items. The appellant acknowledges that the land around the building is quite extensive. In my judgement, the regular parking of resident and visitor motor vehicles and the likely positioning of outside domestic paraphernalia such as tables, chairs, barbeques, and children's play equipment, would fail to preserve the openness of the Green Belt in spatial and visual terms. In this regard, the adverse impact on the openness of the Green Belt in visual and spatial terms would be particularly noticeable from the nearby public footpath.

¹ 22/01250/FUL Retrospective: Constructions of a stable building approved on 6 March 2023

9. The appeal site falls within a part of Horsley which is away from its built-up core and within an area where the landscape transitions into a more rural and open character. I consider that the regular parking of motor vehicles, coupled with the use of outside space for residential purposes, would seek to erode the more rural and open character of this part of the Green Belt. Hence, the development would conflict with one of the purposes of the Green Belt, i.e., to assist in safeguarding the countryside from encroachment.
10. For the above reasons, I therefore conclude that the proposal would be inappropriate development in the Green Belt. The totality of the harm caused to the Green Belt is a matter to which I afford substantial adverse weight in the planning balance. In this regard, the proposal would not accord with the Green Belt requirements of policy STP8 the Northumberland Local Plan 2022 (NLP), and paragraph 155 of the Framework.

Development plan strategy

11. The appeal site falls within an area of open countryside which is designated as Green Belt. It is located outside the defined inset for Horsley (defined as a 'Small Village') as shown on the policies map associated with the NLP. While it is accessible from the main road, it is nevertheless both visually and physically disconnected from the village of Horsley (which I consider is depicted by the inset on the policies map), and in an area where the landscape is more open and rural in character.
12. Policy SPT1(g) of the Local Plan supports specified developments in the open countryside. It provides for residential development in accordance with policies HOU 7 or HOU 8 of the NLP.
13. The proposal does not accord with policy HOU7 of the NLP as it does not relate to a dwellinghouse on an 'exception' site. Furthermore, the proposal does not accord with policy HOU8 of the NLP. This is because, as a matter of fact and degree, I find that the proposed dwellinghouse would be physically separate or remote from the village of Horsley. In this regard, I consider that it would constitute isolated residential development in the countryside and would not meet any of the exceptions listed in policy HOU8(1) (a) to (e). In this regard, I also find conflict with paragraph 84 of the Framework.
14. For the above reasons, I conclude that the proposal would not accord with the NLP spatial strategy for the location of new development. In this regard, the proposal would fail to accord with the housing requirements of policies HOU2, SPT1, HOU7 and HOU8 of the NLP and the Framework.

Character and appearance and Horsley Conservation Area

15. The appeal site falls within the Horsley Conservation Area (CA). The historic core of Horsley stretches along a wide straight road which historically linked the east and west coasts. Its predominantly sandstone buildings with blue slate roofs are staggered and comprise a series of disconnected groups of properties built over time revealing a long history of settlement. The village is enclosed by open countryside with hedge-lines and woodlands creating an attractive rural setting. These attributes add positively and distinctively to the significance of the Conservation Area as a whole.
16. Horsley Bank Farm has some historic and architectural interest and is highlighted in the Conservation Area Character Appraisal as a 'high quality'

dwelling. It dates from the late 19th century as it is not shown on the first edition Ordnance Survey map of 1863 but appears on the 1897 edition. Due to its age, history and robust materiality, the building positively contributes to the character and appearance of the CA. The appeal site falls within the very outer edge of the CA and in a location which has a much more rural character and appearance when compared to the otherwise more built-up village core. The existing stable building has a distinctly rural appearance, and this adds positively to the distinctiveness and significance of this part of the CA.

17. The proposed plans illustrate changes to the building's fenestration when compared to the approved stable building. The removal of shuttered windows and stable doors and their replacement with glazed French doors and casement windows would unacceptably alter the rural character of the building. I agree with the Council that the proposal would change the rural character of the building to one which has a very domestic appearance. The appellant has indicated that they would accept the imposition of a condition to control new window frames and doors. While a condition may be appropriate from the point of view of ensuring the use of wooden windows and doors (including an acceptable paint finish), this would not alter the fact that the resultant building would have a much more domestic appearance relative to the consented stable building.
18. In addition to the above, the proposed dwellinghouse is positioned within a large red edged planning application site. The change of use of the land to residential use would relate to the whole of the land including that around the building. There is scope for car parking and various domestic paraphernalia in this relatively large space. Given this, coupled with the fenestration changes proposed for the building, I find that the development would erode the more rural and open character to this part of the CA. Therefore, harm would be caused to the significance of the CA. In this regard, the development would not preserve or enhance the character or appearance of the CA.
19. In the context of paragraph 208 of the Framework, the development proposal would lead to less than substantial harm to the significance of the CA. This appears to be a position that is accepted by the appellant in terms of comments in his heritage statement.
20. I deal with some of the public benefits arising from use of the building as a dwellinghouse in my other considerations below. However, I do not find that the public benefits of the proposal outweigh the less than substantial harm caused to the significance of the CA. I therefore conclude that the proposal would cause harm to the character and appearance of the area, including the CA, and therefore it would not accord with the conservation and design requirements of policies ENV1, ENV7, ENV9, QOP 1, QOP 2 of the NLP, and chapters 12 and 16 of the Framework.

Outside amenity space

21. The Council assert that unacceptably sized outside amenity space would be available for occupiers of the proposed dwellinghouse. I do not agree. The space around the building would not be small. While much of the space around it is currently hard standing, that in itself does not mean that the space is either inadequate or disproportionate in size for a two-bedroom dwellinghouse. In any event, there is an existing grassed area that could be utilised alongside

the track leading to the 'U' shaped building which is the subject of a separate appeal decision.

22. The Council does not have any policies stipulating the type or size of outside amenity space. In my judgement, the space would be acceptable from a use and size point of view. There would be plentiful land within the red edged planning application site which could be used for the purposes of sitting out, relaxing, drying clothes and storing/using other domestic paraphernalia and items.
23. For the above reasons, I conclude that the development would have acceptable outside amenity space, and, in this regard, there would therefore be no conflict with the living conditions requirements of policy QOP 2 of the NLP, or paragraph 135(f) of the Framework.

Other Considerations

24. The proposal would positively contribute towards the supply and mix of dwellings in the area. Furthermore, use of the building for residential purposes would provide some economic support to local services and amenities in nearby settlements. However, such social and economic benefits would not be very significant from one dwellinghouse. There would likely be some construction employment benefits associated with the change of use of the stable building to a dwellinghouse. However, this would be a short-lived benefit.

Planning Balance and Conclusion

25. The proposal would amount to inappropriate development in the Green Belt. Harm would be caused to the openness of the Green Belt and there would be conflict with one of the purposes of the Green Belt. I afford the totality of the harm to the Green Belt substantial adverse weight in decision making terms. In addition, harm would be caused to the character and appearance of the area, including less than substantial harm caused to the significance of the CA. The latter would not be outweighed by any public benefits. Furthermore, there would be direct conflict with the Council's spatial development strategy for the area. The outside amenity space associated with the proposed dwellinghouse would be acceptable. However, this a neutral matter when considered in the planning balance.
26. Weighed against the above harm are the other considerations outlined above. I conclude that the harm by reason of inappropriateness in the Green Belt, and the other identified harm, is not clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development. Consequently, the appeal should be dismissed.

D Hartley

INSPECTOR