



Appeal Decision

Site visit made on 2 December 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 December 2025

Appeal Ref: APP/H4505/W/25/3373808

Agricultural Building North West of Pockerley Riding School, Birtley, Gateshead

Grid Ref Easting: 422949 Grid Ref Northing: 554797

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mrs Tracey O'Donnell against the decision of Gateshead Metropolitan Borough Council.
 - The application Ref is DC/25/00209/COU.
 - The development proposed is change of use and conversion of existing agricultural/stables building to a single dwellinghouse (Use Class C3).
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mrs Tracey O'Donnell against Gateshead Metropolitan Borough Council. This application is the subject of a separate decision.

Preliminary Matters

3. The location of the appeal site has been taken from the appeal form as this accurately describes the location of the site.
4. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision I have had regard to the Framework published in December 2024.

Main Issues

5. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt, including any effect on openness, having regard to the Framework and any relevant development plan policies;
 - Whether the site location would be suitable for the proposed development having regard to sustainability/accessibility; and

- Whether any harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the proposal.

Reasons

Whether inappropriate development

6. The appeal site relates to an agricultural type building located adjacent to Pockerley Riding School near Beamish within land designated as Green Belt. Policy CS19 of the Planning for the Future Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010 – 2030, 2015 (CSUCP) relates to the Green Belt explaining that the Green Belt will be protected in accordance with national policy.
7. Paragraph 153 of the Framework explains that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
8. Paragraph 154 of the Framework explains that development in the Green Belt is inappropriate unless it meets one of the exceptions as set out. This includes h) other forms of development provided, they preserve its openness and do not conflict with the purposes of including land within it. These are: iv. the re-use of buildings provided that the buildings are of permanent and substantial construction. In respect of the proposed development, the parties identify 154 h) iv. of the Framework as the relevant criteria in this case and I have no substantive basis to consider otherwise.
9. The appeal seeks to change the use of the existing agricultural building to a single dwellinghouse. The appellant proposes to retain the steel framed structure of the building, its roof and the existing corrugated sheet walling. External alterations would involve the insertion of windows and doors and the application of timber boarding to the facades. The submitted drawings also indicate that areas of hardstanding would be installed.
10. A structural condition report has been complete for the site and concludes that key elements of the building require further investigation and may require replacement or reinforcement. To this end, Section 4.0 of the structural report lists the necessary works should the building be converted to a dwelling. Amongst other things, section 4.0 states that the existing foundations should be investigated to confirm their suitability and the ground bearing floor slab will need to be investigated to confirm its thickness and suitability for use within the dwelling. Perimeter foundations will need to be provided to suit the proposed external wall construction. Further analysis of the portal frames would need to be carried out due to the potential increase in dead loading on the roof with the replacement of the single skin sheeting with an insulated roof covering. Localised stiffening/upgrading of the portal eaves and apex haunch connections may be necessary. It goes on to state that the timber purlins should either be doubled up or replaced and the roof and wall bracing to the frame will need to be reviewed and

upgraded if necessary. I observed the structure of the building at my site visit and have no reason to disagree with the above findings.

11. On this basis, I have concerns regarding the structural soundness of the building and its ability to be converted to a dwelling without requiring significant rebuilding/restructuring work. The structural report does not provide sufficient evidence to demonstrate that the building is of permanent and substantial construction. The report concludes that the building is in reasonable condition, but this does not mean that it is of permanent and substantial construction as required by the exception test as set out in the Framework. The structural report also concludes that it is suitable for its proposed change of use and conversion to a dwelling without the need for rebuilding, but I am not sufficiently persuaded that this is the case for the reasons already given.
12. I do not dispute that the company who carried out the structural report is well-renowned and qualified, but this would not lead me to a different conclusion based on the evidence before me and my own observations on site. The appellant claims that the Council has not sought an expert opinion ie engineering specialist on the submitted structural report to substantiate their assertion that the building is incapable of being converted without requiring rebuilding works. The Council's assessment of this is therefore claimed to be without foundation. It is not however unreasonable for the Council to not have sought an expert opinion as the onus is on the appellant to demonstrate that the building is of permanent and substantial construction, and a level of planning judgement is required in this regard. Such a judgement is taken based on the evidence provided and observations onsite. I have exercised this judgement in coming to my own findings.
13. My attention has been drawn to a previous Class Q application at the site under ref DC/24/00278/ODPA and I have had due regard to the correspondence between the Council and appellant where the Council confirmed that they recommend that prior approval is required and approved subject to a number of conditions. I understand that this previous application was however refused for reasons amongst others that involved insufficient information to demonstrate that the building is capable of being converted without requiring significant rebuilding works. It is unfortunate that such advice was given beforehand, but the scheme was still refused for reasons that are still not overcome in bringing this appeal forward. I cannot therefore agree that the Council had previously considered the building to be structurally sound and capable of conversion.
14. Further to the above, it is not considered that the use of the site for residential use would preserve the openness of the Green Belt given the inevitable increase in human activity including vehicle comings and goings as well as the presence of paraphernalia associated with a residential use.
15. Overall, the proposed development does not meet the exception test as set out at paragraph 154 h) iv. of the Framework. It would therefore be inappropriate development in the Green Belt which is by definition harmful to the Green Belt. The development would be contrary to chapter 13 of the Framework and Policy CS19 of the CSUCP.

Sustainability/accessibility

16. The appeal site is unrelated to any established settlement sitting in an isolated location. It is therefore remote from local services and facilities with poor

connectivity by public transport. It lacks safe and convenient access to public transport or active travel infrastructure with no direct footpaths and overall, a dwelling in this location would result in an isolated dwelling in the countryside. Based on the evidence before me and my own observations on site, future residents would be highly reliant on the private car which fails to support the principles of sustainable planning.

17. Paragraph 84 of the Framework explains that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply including c) the development would re-use redundant or disused buildings and enhance its immediate setting. Whilst paragraph 84 does not provide clarification as to whether the re-use of the building can include significant reconstruction, the Green Belt policy that is applicable requires the building to be of permanent and substantial construction which this appeal fails to demonstrate. It also requires the development to enhance its immediate setting which given my findings above and further explained in this decision, I do not consider the appeal to do. Consequently, the exception listed under paragraph 84 c) of the Framework cannot be applied and thus the development would still result in an isolated home in the countryside without meeting any of the circumstances and should therefore be avoided.
18. The appellant claims that there is an inherent acceptance in national policy through paragraph 84 c) of the Framework that such forms of development will inevitably result in isolated and unsustainable forms of development in rural locations. The appellant goes on to claim that the appeal site being distant from nearby settlements and the services/facilities that they contain is irrelevant in the context of the exception provided at criterion c) of paragraph 84 of the Framework.
19. Whilst there may be some recognition that buildings will not be in village settlements, a full assessment would still be needed regarding its sustainability/accessibility based on the site-specific circumstances of the scheme and relevant policies that apply. To this end, the management of new development to more rather than less sustainable locations is an important development plan purpose which is reflected in both local and national planning policy. Paragraph 115 of the Framework explains that in assessing specific applications for development, it should be ensured that: a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location; b) safe and suitable access to the site can be achieved for all users. Policy CS13 of the CSUCP and Policy MSGP15 of the Making Spaces for Growing Places, 2021 also promotes sustainable travel choices and secures safe access to the site for all people.
20. The location of the development is unsustainable in terms of offering genuine transport links other than the use of the private car and cannot therefore be described as being sustainable. The Council has raised concern regarding the site access in that it offers limited visibility. However, given the historical use of the access to serve the agricultural/stables building, it is unlikely that one dwelling would lead to such an intensification that would significantly worsen the existing/historical arrangements. Given the lack of footpaths etc, it is unlikely that pedestrians would be regularly walking to and from the site. This element is therefore of lesser concern to me but would not outweigh the other harm I have identified.

21. For the above reasons, I conclude on this issue that the site location would not be suitable for the proposed development having regard to sustainability/accessibility. It would therefore conflict with Policy CS13 of the CSUCP and Policy MSGP15 of the Making Spaces for Growing Places, 2021.
22. For the same reasons, the proposed development would also be contrary to paragraphs 84 and 115 of the Framework which relates to rural housing and promoting sustainable transport.

Other considerations

23. The Council has confirmed that they currently do not have a five-year housing land supply. Consequently, because of the provisions of footnote 8, paragraph 11d) of the Framework should be applied. This requires the grant of permission unless: i. the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
24. Criteria i) includes footnote 7 which explains that the policies referred to are those in the Framework (rather than those in development plans) relating to amongst others, land designated as Green Belt.
25. On this basis and in light of my findings above in relation to the Green Belt, I find that the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. Additionally, the benefit of providing one new dwelling to the local housing stock would not significantly and demonstrably outweigh the adverse impacts of being inappropriate development in the Green Belt and being in a highly unsustainable location. As a result, the presumption in favour of sustainable development does not apply.
26. I appreciate that the building has become vacant and surplus to requirements and that it represents an opportunity to put the building to effective use. The appellant also claims that it would secure its maintenance and upkeep in the long-term including enhancing the appearance of the building and its immediate setting. However, I did not find the building to be so undermaintained at the time of my site visit as to benefit from the proposed development and I did not find the immediate area to be in need of enhancing. The existing building is of agricultural appearance in a rural setting where such buildings are often found. I attribute limited weight to such matters.
27. I note that the dwelling would provide a family home for the appellant and her family within easy reach of their adjacent riding school business. This would not however weigh in favour of the appeal or gain any meaningful weight in the decision-making process. I therefore attach limited weight to this.

Planning Balance and conclusion

28. As set out earlier, paragraph 153 of the Framework explains that when considering any planning application, local planning authorities should ensure that substantial

weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Additionally, the site location would not be suitable for the proposed development having regard to sustainability/accessibility.

29. Paragraph 153 goes on to explain that 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Whilst I acknowledge the other considerations put forward by the appellant as set out above, the Framework makes it clear that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt which I have applied.
30. Therefore, those other considerations referred to above would not hold sufficient weight to outweigh the harm that I have found would be caused to the Green Belt by reason of inappropriateness and sustainability/accessibility. Furthermore, I have not received substantive evidence of any other considerations which would do so. The very special circumstances needed to justify the development do not therefore arise.
31. Accordingly, I conclude that the appeal is dismissed.

N Teasdale

INSPECTOR