



Appeal Decision

Site visit made on 6 January 2026

by **C Livingstone MA(SocSci) (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 February 2026

Appeal Ref: APP/P2935/W/25/3374937

Gubeon Farm, Gubeon Farm and Cottages, Morpeth, Northumberland NE61 3YJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr N Taylor against the decision of Northumberland County Council.
- The application Ref is 25/00610/FUL.
- The development proposed is demolition of an existing building and replacement with a single self-build dwelling to be retained a principal occupancy dwelling in perpetuity including proposed garage and bin store.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 7th October 2025 the Council granted Prior Approval for the change of use of the agricultural barn on the appeal site to a residential dwelling¹. This is a material consideration in my assessment of the appeal.
3. The appellant submitted an executed Unilateral Undertaking (UU), dated 11th November 2025, during the course of the appeal. Within it the appellant confirms that the proposed dwelling would be their principal residence. Recent caselaw² has established that a completed planning obligation has legal effect and therefore must be considered, provided it is submitted before the appeal is decided.

Main Issues

4. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt, having regard to the framework and any relevant development plan policies;
 - the effect of the development on the openness of the Green Belt;
 - whether the site is a suitable location for the development having regard to the housing policies of the development plan;
 - whether the proposed housing is in a sustainable location; 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 required to justify the development.

¹ 25/02968/AGTRES

² Tiwana Construction Ltd v SSHCLG & West Suffolk Council [2025] EWHC 1485

Reasons

Whether inappropriate development

5. The appeal site lies within green belt land designated in 1963 by amendment No. 16 to the County Development Plan. The strategic purposes of the Green Belt include checking the unrestricted sprawl of Tyne and Wear, safeguarding the countryside from encroachment, preserving the setting and special character of Morpeth, preventing the town from merging with neighbouring settlements and preventing the merging of rural settlements. Policy STP8 of the Northumberland Local Plan 2016-2036, adopted 2022, (NLP) defines the instances where development in the Green Belt would be supported. However, the list of developments allowed under this policy predate those in the Framework.
6. Paragraphs 154 and 155 of the National Planning Policy Framework (the Framework) list the types of development that are not inappropriate in the Green Belt, subject to certain conditions. These include the replacement of a building and the limited infilling or the partial or complete redevelopment of previously developed land, as defined within criteria d and g of paragraph 154 of the Framework respectively. and the development of homes on sites that would utilise grey belt land where it would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan, where there is a demonstrable unmet need and is in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework.
7. Development of grey belt land is not included within Policy STP8 of the NLP, which is the most important policy concerning this issue, making it inconsistent with the Framework and therefore out-of-date. While the remainder of the policy is broadly consistent with the Framework, the omission above, which is very much relevant to the issues in this appeal, limits the weight I can give to any conflict with Policy STP8.

Replacement of a building

8. The appeal site includes a modest stone barn, at the time of my site visit in January 2026 the building was unoccupied and the window on the front elevation was boarded up and there were visible cracks on the rear elevation. I note that the Council granted prior approval in October 2021 for the conversion of the barn to a residential dwelling³ which was not implemented. However, as detailed above, in October 2025 the Council granted prior approval for the change of use of the barn to a dwelling; as such there is currently extant prior approval for the change of use of the barn on the application site.
9. Further to the above, criteria d of paragraph 154 of the Framework allows for replacement buildings on the provision that the new building is the same size and not materially larger than the one it replaces. The proposed dwelling is significantly larger than both the existing building on the appeal site and the scheme granted prior approval⁴, therefore it would fail to comply with the requirements of paragraph 154 criteria d.

³ 21/03022/AGTRES

⁴ 25/02968/AGTRES

Partially developed land

10. The appellant considers that the proposed scheme meets the requirements of criteria g of paragraph 154 of the Framework, which allows for the limited infilling, of the partial or complete redevelopment of previously developed land.
11. In the absence of any clear evidence to demonstrate otherwise the existing use of the building on the appeal site is agricultural, and the majority of the land to which the development relates is undeveloped agricultural land. The glossary on page 77 of the Framework provides a clear definition of what constitutes previously developed land and specifically excludes 'land that is or was last occupied by agricultural or forestry buildings'. As the appeal site does not fall within the definition of previously developed land for the purposes of the Framework the proposal would fail to comply with the requirements of paragraph 154 criteria g.

Grey Belt

12. The updated Framework has introduced the concept of grey belt land. When making a judgement as to whether land is grey belt, consideration should be given to the contribution it makes to Green Belt purposes as defined by criteria a to e of paragraph 143 of the Framework. The appeal site does not check the unrestricted sprawl of a large built up area, prevent the merging of towns or preserve the setting and special character of a historic town. Further, the site is not listed as an area or asset in footnote 7 to the Framework which provides a strong reason for restricting or refusing development. Therefore, I consider that the appeal site is grey belt land and complies with the requirements of criteria a of Paragraph 155 of the Framework. In order to be supported under the terms of paragraph 155 the proposal must also meet the requirements of criteria b and c.
13. Under the terms of criteria b of paragraph 155 there must be a demonstratable unmet need for the type of development proposed. Footnote 56 states that for the provision of housing, this means a lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Test was below 75% of the housing requirement over the previous three years. There is no evidence before me to clearly indicate that there is a demonstratable unmet housing need in this instance. Consequently, this paragraph does not render the development not inappropriate. Whether the development is in a sustainable location will be addressed in detail below.

Openness of the Green Belt

14. The concept of Green Belt openness has both a spatial and visual dimension. The appeal site currently includes a small barn. The erection of the proposed dwelling would introduce new built form into the Green Belt which would result in a spatial loss of openness. The proposal would also be seen from surrounding residential properties and from vantage points in the wider area. Introducing new built form would therefore also result in a visual loss of openness.
15. Compared to the existing situation openness would therefore, both spatially and visually, be reduced by the introduction of the dwelling at the appeal site. While the loss would be relatively localised due to existing and proposed planting on the site boundary, it would, nonetheless, impact on the openness of the Green Belt and would therefore conflict with the objectives of the Framework in keeping Green Belt land permanently open.

16. For these reasons, I conclude that the proposal would not constitute one of the exceptions listed in the Framework and is therefore inappropriate development in the Green Belt. Accordingly, the appeal site is not suitable in principle for residential development, having regard to its location in the Green Belt. The proposed development would also conflict with Policy ST8 of the NLP which is a consideration in my assessment and allows development in the Green Belt only in specific circumstances.

Whether a suitable location

17. In order to ensure the delivery of sustainable development and support the vitality of communities the Council supports housing in the countryside only where it meets the criterion listed under part g of STP 1 of the NLP. The proposed development would fall to be considered under criteria iv of this policy, and there is no substantive evidence before me to demonstrate that the development would meet the requirements of any of the other criteria listed. Criteria iv supports residential development where it is in accordance with Policy HOU 7 or HOU 8 of the NLP.
18. Policy HOU 7 of the NLP allows the development of entry level, affordable housing, self-build, custom-build and community- led housing as rural exception sites. There is no evidence before me to demonstrate that the proposed dwelling would be affordable, in accordance with the requirements of criteria 2 and 3 of this policy.
19. The submitted Unilateral Undertaking (UU) states that the proposed dwelling would be the appellants principal residence. This confirms that the development would be self-build. However, as detailed above, there is no substantive evidence before me to demonstrate that the proposed dwelling would be in accordance with all of the requirements of Policy HOU 7 for self-build housing projects, which require, among other things, clear demonstration that there is a local need for affordable housing and the resultant affordable housing to be secured in perpetuity through a Section 106 legal agreement.
20. Policy HOU 8 allows for the development of isolated residential development in the open countryside. The appeal site is located within a group of dwellings within Gubeon Farm and in light of this is not in an isolated location. Further to this there is no substantive evidence before me to demonstrate that 'there is an essential and clearly established need for a full-time rural worker necessary to meet the operational needs of a rural business to live permanently at or near their place of work in the countryside.'
21. For the reasons detailed above the appeal site is not in a suitable location for the development having regard to the housing policies of the development plan. It would therefore conflict with Policies STP 1, HOU 7 and HOU 8 of the NLP which define the Council's spatial strategy and support housing in the countryside only in specific circumstances.

Whether a sustainable location

22. Paragraphs 110 and 115 of the Framework state amongst other considerations that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that it should be ensured sustainable transport modes are prioritised; taking account of the vision for the site, the type of development and its location.

23. The appeal proposal is for a dwelling on a site within a group of several other properties within Gubeon Farm. Future occupants would need to travel outside of the group to access the resources associated with everyday life. The Council state that the nearest bus stop is 0.7 miles away.
24. The closest town where there is good access to shops, services, facilities as well as public transport links is Morpeth. However, there is no street lighting within the immediate area or pedestrian or cycle paths linking the appeal site and this town, or public transport links. The most direct cycle route would, in part, be along a busy main highway. While traveling to Morpeth via cycle would not be impossible, due to the speed and busyness of the road it is likely that this option would be viable only for experienced cyclists and not children and the elderly or infirm. Further, in times of inclement weather or in the hours of darkness the viability of cycling as a sustainable travel option in this instance is further reduced.
25. It is acknowledged that travel by electric car could be a viable option for future occupants. Notwithstanding this, there is no guarantee that they would travel this way. As such, electric car usage and also the potential energy efficiency of the proposed dwellings does not address my concerns in regard to a lack of sustainable travel options available.
26. I am in agreement with the appellant that paragraph 116 of the Framework limits the prevention or refusal of development on highway safety grounds only to instances where it would result in severe harm. Still, this does not override the aims of the Framework in terms of sustainable travel.
27. For the reasons detailed above the proposed development is not in a sustainable location. Therefore, it would conflict with NLP Policies STP 3, and TRA 1 and the Framework which seek to encourage development that is accessible, avoids dependence on travel by private car and promotes health and wellbeing through active travel options and also ensure the safe and efficient operation of the highway network.

Other Matters

28. Six letters of support were submitted in relation to the proposed development. The submitted comments relate to the principle of the development and whether it complies with the development plan, economic benefits, the need for housing and self-build opportunities, the impact of the scheme on biodiversity and the suitability of the proposed design; all of which are addressed above and within the Green Belt Balance below.
29. I note the Council raised no concerns regarding the proposed access arrangement and parking provision, the effect of the development on character and appearance of the area, residential amenity, ecology, contamination and stability, drainage and flood risk. I have no reason to disagree with the Council's assessment in regard to these matters, however an absence of harm is a neutral factor weighing neither for nor against the proposal.
30. The submitted UU would restrict the occupancy of the resultant dwelling and prevent it being used as a holiday let or second home. The scheme for the change of use of the barn to a dwelling would not be subject to the same occupancy restriction. However, the Council state that the appeal site is not located within an area where there is a proliferation of dwellings used as holiday accommodation and

have no concerns in this regard. Based on the evidence before me, which includes my site visit, I have no reason to disagree with the Council.

The Green Belt Balance

31. I have concluded that the proposal would be inappropriate development and would therefore, by definition, be harmful to the Green Belt. I have also found that it would cause harm to the openness of the Green Belt. These are matters to which I give substantial weight as required by paragraph 153 of the Framework. Also, as detailed above I have identified that the development would not be in a sustainable location, despite this it would be no less sustainable than the other properties in the area and is a relatively short distance from Morpeth, as such I afford only limited harm in this respect.
32. The Government is seeking to significantly boost the supply of housing. The Framework recognises that small sites can make an important contribution to the Council's housing supply. Although the proposed development is for just a single dwelling, this would contribute positively to the Council's housing land supply and would provide social benefits. It is also acknowledged that small sites can be delivered quickly and efficiently. In this instance the development would provide high quality energy efficient housing, which is an important factor in addressing climate change. There would also be economic benefits in terms of the generation of economic activity during the construction of the house and the provision of a home to future residents who would contribute to the local economy. However, due to the small scale of the scheme, these benefits would be limited.
33. The appellant is also willing to provide ecological enhancements including preparation of a woodland/landscape management plan as detailed within their UU. Improvements to ecology and biodiversity are welcomed. Still, I am not certain that the proposed dwelling is the only way to achieve the enhancements proposed. Also, given the scale of the development I afford only limited weight in favour in this regard.
34. The existing barn on the site is modest in terms of its scale and massing and appears to be in a good state of repair. The current condition of the building is such that it does not result in visual harm, either within its immediate setting or from public vantage points within the wider landscape.
35. The design of the proposed dwelling is attractive and draws inspiration from the form and style of agricultural buildings in the area. I note the Council raised no concerns in terms of the proposed design and I have no reason to disagree. However, an absence of harm in terms of both the existing barn and the design of the proposed dwelling are neutral factors weighing neither for nor against the proposal.
36. As noted above, prior approval was recently granted for the change of use of the existing barn on the appeal site to a dwellinghouse. The aim of the prior approval procedure is to facilitate the conversion of underused agricultural buildings into residential use, which in turn boosts the housing supply in rural areas. The scope of factors under consideration as part of a prior approval is limited and not subject to the requirements of the development plan.
37. Further, based on the evidence before me the proposed dwelling would be significantly larger than the existing agricultural barn and the scheme granted prior

approval. This would in turn reduce openness within the greenbelt. These factors limit the weight I can attach to the recent prior approval as a fallback position.

38. Cumulatively, while the other considerations put forward in favour of the proposed development have moderate weight, they do not clearly outweigh the harm to the Green Belt that I have identified. Consequently, the very special circumstances necessary to justify the development do not exist. Therefore, while limited weight can be afforded to Policy ST8 of the NLP, it is still evident that the proposed development would not comply with the policies of the Framework, specifically Section 13 on protecting Green Belt land.

Conclusion

39. For the reasons set out above, I conclude the appeal is dismissed.

C Livingstone

INSPECTOR