



Appeal Decision

Site visit made on 21 June 2016

by Roger Catchpole DipHort BSc(hons) PhD MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 July 2016

Appeal Ref: APP/P2935/W/16/3145262

Land west of Whitegates, Longhorsley, Northumberland NE65 8UJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Enviro Property Partners Ltd against the decision of Northumberland County Council.
 - The application Ref: 15/03374/OUT, dated 9 October 2015, was refused by notice dated 6 January 2016.
 - The development proposed is the erection of approximately 33 no. residential units including affordable homes.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Planning law¹ requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework 2012 (the Framework) advises that the development plan should not be considered out-of-date simply because it was adopted prior to the publication of the Framework. Bearing in mind the degree of consistency that is present between the Framework and the relevant policies I have given them due weight in the balance of this appeal.
3. The Council has an emerging plan that is being consulted upon which is yet to be examined in public. As its policies have not been tested this appeal will be determined with principal reference to saved policies C1 and H16 of the Castle Morpeth District Local Plan 1991-2006 2003 (LP); saved policy S5 of the Northumberland County and National Park Joint Structure Plan 2005 (JSP); and the National Planning Policy Framework 2012 (the Framework).
4. Saved policy S5 of the JSP establishes that the Green Belt was extended to lie north of Longhorsley. However, the Council accept that the precise inner and outer boundaries of this extension can only be confirmed through the emerging plan. The pre-submission draft of the emerging plan has placed the appeal site within the Green Belt. However, its precise extent around settlements is the focus of unresolved objections. Consequently, whether or not the site can be considered to be in the Green Belt is equivocal at this juncture. Given the

¹ Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 (as amended)

stage that the emerging plan has reached and the scale of the proposed development, I am satisfied that its objectives, in relation to Green Belt protection, would not be undermined. As a result I have not given any weight to the first reason for refusal and will therefore, not address the Green Belt as an issue in this appeal.

5. The application was submitted in outline with all matters reserved. This is the basis upon which this appeal has been determined.
6. The appellant has highlighted the following appeal decisions in evidence: APP/P2935/A/12/2170840, APP/P2935/A/13/2208237 and APP/P2935/A/14/2212989. Whilst I have paid careful attention to these decisions the circumstances are not similar in all respects because none of them had regard to the current estimate of the deliverable five year housing land supply within the Central Delivery Area. Consequently, this appeal has been determined on its individual merits and the evidence before me.

Main Issue

7. The main issue is the effect of the proposal on the character and appearance of the open countryside.

Reasons

8. The appeal site comprises a broadly rectangular grazing pasture covering an area of approximately 2.6 ha immediately to the west of the small settlement of Longhorsley. It lies beyond the defined settlement boundary in the open countryside. The proposed scheme would lead to the construction of up to 33 residential dwellings of various types and associated infrastructure.
9. I observed that whilst the appeal site abuts low density residential development along its eastern boundary, it nevertheless has a strongly defined rural character that arises from being bounded on three sides by open countryside. The established pattern of development currently provides a crisp boundary to the settlement in my judgement. Consequently the proposal would clearly lead to a significant and highly incongruent encroachment into the open countryside.
10. Saved policy C1 of the LP clearly states that development in the open countryside beyond development limits will not be permitted unless allowed by other policies or to meet the needs of agriculture or forestry. As the Council have an undisputed deliverable housing land supply for the Central Delivery Area in the region of 6.1 years, this policy carries due weight. This is also the case for saved policy H16 which defines those circumstances where new housing in the open countryside may be permitted. As the proposal would not conform to any the exceptions it is not, therefore, supported by the relevant policies of the development plan.
11. Given the above, I conclude that the proposal would cause significant harm to the character and appearance of the open countryside contrary to saved policies C1 and H16 of the LP. Consequently, the proposal would not be in accordance with the development plan.

Other Matters

12. I accept that a limited number of services are present in Longhorsley and that it has a regular bus service to larger settlements. I also accept that the centre of the village is within walking and cycling distance to able-bodied individuals and that it would make a limited contribution towards the supply of housing. In these respects the proposed development would gain some support from the Framework. However, these benefits must be balanced against any adverse impacts. Given the harm that would be caused to the character and appearance of the open countryside and having had regard to the policies of the Framework as a whole, I conclude that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits. Consequently, it would not amount to a sustainable form of development and would thus be contrary to paragraph 14 of the Framework.
13. The appellant is of the opinion that a number of similar housing applications have been granted permission. Whilst I acknowledge that these were edge-of-settlement sites, I am not fully aware of the circumstances of these developments and I note that they predate the current estimate of the deliverable five year housing land supply within the Central Delivery Area. Consequently, I give this matter little weight in favour of the development.
14. The appellant has suggested that the proposal would help to maintain the vitality of the local community by supporting rural services and that it would also help to meet an affordable housing need. In relation to the first point, I have no substantiated evidence before me to suggest that rural services in and around Longhorsley require additional support. In relation to the second point, I acknowledge the 'upfront' offer to provide affordable housing but have no completed planning obligation before me. Consequently, I give these matters little weight in favour of the development.

Conclusion

15. For the above reasons and having regard to all matters raised this appeal is dismissed.

Roger Catchpole

INSPECTOR