



Appeal Decision

Site visit made on 28 October 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2021

Appeal Ref: APP/P2935/W/20/3257013

Land North of Percy Gardens, Barrasford NE48 4AJ

- 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 Mr Guy Munden of Northumberland Estates against the decision of Northumberland County Council.
 - The application Ref 20/00173/OUT, dated 17 January 2020, was refused by notice dated 27 May 2020.
 - The development proposed is development of 18 dwellings, including access road, car parking, landscaping, gardens and all other ancillary works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application has been submitted in outline with all matters except access reserved for future consideration. I have dealt with the appeal on that basis.
3. A certified and signed copy of a planning obligation has been submitted under Section 106 of the Town and Country Planning Act 1990. The obligation relates to the provision of affordable housing as well as a financial contribution towards secondary education. The obligation meets the tests set out in paragraph 56 of the National Planning Policy Framework (the Framework) and I have proceeded to determine this appeal giving due consideration to the obligation.
4. Reference has been made to the emerging Northumberland Local Plan, although the policies of this emerging plan are not included in the Council's reasons for refusal. I have also not been made aware of the extent of unresolved objections to this emerging plan or its degree of consistency with the Framework. On that basis, and due to the stage of the preparation of the emerging Local Plan, I give it little weight and this is not a determinative matter in my consideration of this appeal.

Main Issues

5. The main issues in this appeal are:
 - The effect of the proposal on the character and appearance of the area; and
 - Whether the site would be an appropriate location for housing with regards to local and national planning policy.

Reasons

Character and Appearance

6. The appeal site is part of an area of open agricultural land to the north east of Barrasford. The site includes an access road leading from the village to a farm and other development, and also includes a number of utility poles and cables, although these features do not unduly detract from the open countryside character of the site. It is located to the north of a former railway line and station which form a clear and definitive boundary to the edge of the village. Established linear tree planting along the route of the railway emphasises this boundary as it limits intervisibility between the appeal site and the village, and forms a visual break between the built extent of the village and the open countryside to the north.
7. There is relatively modern development extending towards the appeal site from the historic core of the village, which is representative of the progression of development of the village extending to the north east. However, the former railway line and trees represent a definite and clearly apparent limit to this progression of development.
8. The appellant's Landscape Architect Statement (LAS) refers to development associated with the railway station which it is contended diminishes the importance of the railway corridor and tree line as a historical boundary to the village. However, this extent of development or activity is not apparent at the present time, with the exception of a hut which is of an understated appearance and of a distinctly separate character from the village. The comment in the LAS that this location does not look like open countryside due to features in the area is not supported by my own observations.
9. Within this context, the appeal proposal would appear as intrusive built development projecting into the open countryside beyond the logical extent of the village. Due to the visual barrier created by the railway corridor and tree planting, the proposal would be viewed as an obtrusive modern development that would be clearly separate from the village rather than being a cohesive extension to it. This would be particularly apparent from rights of way in the vicinity of the site, including views from the north which would provide elevated views of the development against the backdrop of the trees, rather than against the built area of the village.
10. Even allowing for the mature trees and the topography of the area, I also consider that the form of development and associated activity would be apparent from the northern area of the village around East Acres, exacerbating the harm to the character of the village arising from the proposal's inappropriate location. I acknowledge that the mature tree planting would obscure views of the site from many locations within the wider village. However, this emphasises the unsuitable location of this development and its distinctly separate character from the built form of the village.
11. The appellant refers to the benefits of tree and shrub planting which would contain and screen the built development. However, I consider that the extent and form of built development would still be apparent. Moreover, given the strong linear feature of the tree planting along the former railway line, the tree planting and landscaping associated with the proposal would appear as an incongruous and contrived feature projecting into the countryside.

12. The site is not located at one of the main gateways into the village and the flow of pedestrians, vehicles and other receptors through this area would be limited. However, even on that basis the harm arising to character and appearance would be apparent and unacceptable. I acknowledge that this area of countryside is not designated as a valued landscape. However, this does not diminish the harm that I have identified in respect of character and appearance due to the particular circumstances of this site and its visual relationship with Barrasford.
13. Rather than appearing as a rational extension to the village as contended by the appellant, the proposal would represent an unacceptable intrusion into the countryside beyond the logical built extent of the village. Matters such as landscaping as well as the design and layout of the development would not address that harm.
14. I have had regard to the LAS and the Landscape and Visual Impact Assessment submitted by the appellant, and the contention that many of the landscape and visual effects are neutral in nature and of moderate, slight or negligible magnitude. However, for the reasons stated previously I disagree with those conclusions.
15. Due to its extent and location, I consider that the proposal would lead to significant harm to the character and appearance of this area of countryside and the setting of Barrasford. The proposal would be contrary to policies GD2 and H32 of the Local Plan¹ and GD1, BE1, NE1 and H1 of the Core Strategy² with regards to the character of the site and its surroundings. These policies are consistent with the Framework in respect of achieving well-designed places as well as conserving and enhancing the natural environment.

Planning Policy

16. The appeal site is adjacent to the village of Barrasford. As the site is located outside of the built-up area of the village it is considered to be within the open countryside for the purposes of the development plan. Policy GD1 of the Core Strategy limits development in the open countryside to the re-use of existing buildings. As built development the proposal would conflict with this policy.
17. That said, Barrasford contains a number of services including a shop, school, public house and village hall. There is also a bus service to larger settlements, although the evidence suggests that this service is of a limited nature. Within that context, Barrasford would be a 'smaller village' within the terms of Policy GD1 of the Core Strategy which supports small scale development in such settlements. Furthermore, the Council accepts that Barrasford is a suitable location for new small scale residential development.
18. The Council's concerns stem from the scale of the development. Whilst the proposal would represent major development as set out in the Framework, this would not represent a disproportionate scale of development compared to the extent of the village. There is also no substantive evidence that the services within Barrasford are inadequate to meet the day to day needs of future residents. However, I acknowledge that residents would most likely rely on the private vehicle to access a wider range of services and employment, even allowing for the potential for home working referred to by the appellant.

¹ Tynedale District Local Plan 2000

² Tynedale Local Development Framework Core Strategy 2007

19. I am also mindful that the Council has previously granted planning permission for a similar number of houses on a site elsewhere in the village. Whilst issues such as housing land supply may have differed at that time, this previous consent and my own observations indicate that Barrasford is not inherently unsuitable for this scale of development. Whilst the previous permission may have lapsed, the Council has included this site within the settlement boundary of the emerging Local Plan, although I only attach limited weight to this due to the stage of preparation. Even when considered cumulatively with the previous planning permission, based on what I have seen and read the proposal would not represent development of an unsuitable scale.
20. Furthermore, one of the policies that the Council relies on with regards to this main issue is not consistent with the Framework. Indeed, policy GD1 of the Core Strategy in effect sets a blanket restriction on new built development in the open countryside, which conflicts with the Framework which permits some sustainable housing development in rural areas. Whilst the proposal would conflict with this policy, I give this conflict limited weight due to inconsistencies with the Framework.
21. Policies H1 and H3 of the Core Strategy are supportive of housing development in smaller villages with adequate services, such as Barrasford. Whilst the proposal would be adjacent to the village rather than within it, I consider that it meets the aims of these policies in respect of the sustainable distribution of housing development. Therefore, despite the conflict with policy GD1, I consider that the appeal proposal is of a scale which would comply with the Framework and development plan when read as a whole in respect of the sustainable location of rural housing.

Other Matters

22. I have had regard to the various appeal decisions referred to by both main parties. However, I have not been provided with full details of these schemes to determine if they represent a direct parallel to the appeal proposal, including matters of housing land supply, consideration of settlement limits and the weight afforded to harm to character and appearance. In any event, I have determined this appeal on its own merits.

Planning Balance

23. In respect of the second main issue, the most important policies are GD1, H1 and H3 of the Core Strategy. I have concluded that GD1 is not consistent with the Framework as it is in effect a blanket restriction on new built development in the open countryside. Policies H1 and H3 have a greater degree of flexibility and are more consistent with the Framework in identifying opportunities for villages to grow, although they do not reflect the potential for development in a village to support services elsewhere and also reflect policy GD1 in respect of the definition of open countryside.
24. In relation to the first main issue, I have concluded that the main policies referred to are consistent with the Framework in respect of ensuring well-designed places and recognising the intrinsic character and beauty of the countryside.
25. However, due to the importance of policy GD1 of the Core Strategy and policies H1 and H3 which stem from it, my overall judgement is that the most

important policies when taken as a whole are out of date for the purposes of determining this appeal. As such, the 'tilted balance' of paragraph 11(d) of the Framework is triggered which requires that planning permission should be granted unless 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.

26. In terms of adverse impacts, I have found that the proposal would cause significant harm to the character and appearance of the area contrary to the relevant policies of the development plan as well as the Framework. The proposal would also be contrary to policy GD1 regarding development in the countryside, although I give this conflict limited weight due to inconsistencies with the Framework.
27. With regards to the benefits of the proposal, the scheme would provide 18 new dwellings, although within the context of the Council's housing land supply and the harm identified in respect of character and appearance, this should carry only limited weight in favour of the appeal.
28. The proposal would include an affordable housing provision of 28%, which would exceed the Council's standard requirement of 17%. The provision of affordable housing therefore carries positive weight in favour of the proposal. I note that this is an important factor in the Parish Council's support of the proposal. However, the provision of affordable housing is only part of a wider scheme and there is no substantive evidence that the proposed market housing is required to bring forward the affordable housing. On that basis, the affordable housing contribution carries only moderate weight in favour of the scheme as a whole.
29. The development would have convenient access to services within Barrasford, although this can be said of many sites on the periphery of this settlement, including a previously permitted scheme on another site. Residents of the scheme would support services within the village as well as settlements elsewhere, and given the scale of the proposal in comparison to Barrasford and nearby villages this support would be of moderate benefit.
30. I have also had regard to the identified expenditure from future residents, although there is no guarantee that this would be spent in the immediate locality. Furthermore, this expenditure and the identified fiscal benefits to the Council could arise from housing in larger and more sustainable settlements, and as such this carries only limited weight in the overall planning balance.
31. The proposal would include areas of landscaping and open space. However, I have concluded that this landscaping would add to the visual harm arising from the development and this is therefore not a benefit of the scheme. The provision of sustainable drainage would only mitigate the impacts of the development and is therefore a neutral factor. Similarly, the contribution to secondary education would address the demands arising from the development and is also a neutral factor in the the planning balance. Any benefits to biodiversity would be very limited at most due to the scale and nature of the proposal.
32. The economic benefits arising during construction would be for that period only, and due to the scale of the development this should carry only limited weight.

33. In the planning balance, I acknowledge that there are a number of benefits arising from the proposal. I have also concluded that the proposal would not conflict with the development plan and the Framework regarding the sustainable location of residential development. However, even when these benefits are considered cumulatively, I conclude that the significant harm arising to the character and appearance of the area would significantly and demonstrably outweigh those benefits. The proposal would therefore conflict with the Framework taken as a whole.

Conclusion

34. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

Richborough Estates