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## Appeal Decision

Site visit made on 13 May 2019

**by Chris Baxter BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 19 June 2019**

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**Appeal Ref: APP/P2935/W/19/3223496**

**Land South of Lightpipe Farm, A697 Longframlington Main Road Through Village, Longframlington NE65 8DZ**

- 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 Ms Rosemary and Claire Armstrong against the decision of Northumberland County Council.
  - The application Ref 18/00162/OUT, dated 15 January 2018, was refused by notice dated 31 August 2018.
  - The development proposed is described as "Outline Application for development of approximately 42 dwellings on land south of Lightpipe Farm, Longframlington."
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. Outline planning permission is sought with all matters reserved. I have determined the appeal on this basis.

### Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area, the environmental effect of the proposal and the requirement for a Section 106 Legal Agreement.

### Reasons

#### *Character and appearance*

4. The village of Longframlington is characterised predominantly by residential properties surrounded by open countryside. The settlement has irregular patterns of development with a non-uniformed settlement boundary and built development stretching out into the surrounding countryside. It is this irregular pattern of development which positively contributes to the character of the village.
5. The Council considers the appeal site to be separate from the village as it is located on the east side of the A697 Front Street. However, there are a number of properties on the east side of the A697 which are visually prominent, contributing to the appearance of the area. The proposal would reinforce the built form on the east side of the A697 whilst also respecting the existing

landscape by retaining the majority of the existing tree belt along the boundaries of the site.

6. The proposal would alter the built form of the settlement however, the proposed houses would be contained within a gap between existing built development to the north west and south of the site. The development would be visible, particularly from views from the north and east, however given its location between existing development and set against the tree belt, the proposal would not encroach into the open countryside or detract from the undulating farmland character of the area.
7. It has been indicated that the proposed housing density on the site would be around 14 to 17 dwellings per hectare. This density would provide a spacious development which would be suitable in this rural location and would add to the existing mix of buildings in the surrounding area.
8. The proposed development would not have a harmful effect on the character and appearance of the surrounding area. The proposal would be in accordance with Policy S16 of the Alnwick District Local Development Framework Core Strategy 2007 (CS) and the National Planning Policy Framework (the Framework) which collectively seek all development to achieve a high standard of design, reflecting local character and protecting and enhancing the local environment.

#### *Environmental effect*

9. The minutes of the Council Planning Committee states that the development would have an environmental impact. Concerns have also been raised with regards the effect the proposal would have on highways, public rights of ways, drainage, flooding, ecology and protected species, ancient hedgerow and trees.
10. Advice has been offered on these matters from Council Officers and also from the Lead Local Flood Authority, Northumbrian Water and Natural England, which indicate that the development would not have an adverse effect on these environmental matters. Some of these matters would require the submission of additional information to ensure there is no harmful effects from the development however, these would be capable of being addressed at a reserved matters stage or through the imposition of planning conditions.
11. There is no overriding evidence before me to indicate that the proposal would have a significantly harmful environmental effect on the area. I therefore consider that the proposal would comply with Policy S16 of the CS and the Framework which seek development to take full account of the need to protect and enhance the local environment.

#### *Section 106 Agreement*

12. The appellant has provided a Heads of Terms document which details contributions towards affordable housing, education, health care and highway junction works. The Council are also agreeable to these obligations.
13. It is necessary that I consider these obligations against the three tests set out in the Framework and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010. All new housing development brings about demand for affordable housing, education and health care. The Council's Highway Officers have also commented that improvements to the highway A697/C106 junction

are required to accommodate the additional vehicles associated with the proposed development. I am therefore satisfied that the proposed contributions would be necessary to make the development acceptable in planning terms. Furthermore, on the evidence before me, they would be directly related, and fairly and reasonably related in scale and kind, to the development proposed. The obligations therefore meet the relevant tests.

14. Whilst I conclude that the contributions are required for the development, a completed Section 106 Agreement has not been submitted as part of this appeal. Given the obligations are necessary, I will be dismissing the appeal on this basis.

### **Other Matters**

15. Concerns have been raised from local residents and the Parish Council which include the need for the housing and whether the development is sustainable. I have given careful consideration to these matters however, they do not lead me to a different overall conclusion on the main issues.

### **Conclusion**

16. I conclude that for the reasons given above, the appeal should be dismissed.

*Chris Baxter*

INSPECTOR