



# Northumberland County Council

## Castle Morpeth Local Area Council Meeting 12th November 2018

<b>Application No:</b>	18/01840/FUL		
<b>Proposal:</b>	Demolition of existing farmstead and erection of 3 No dwelling houses.		
<b>Site Address</b>	Benridge Moor Farm, Longhorsley, Morpeth, Northumberland NE61 3SD		
<b>Applicant:</b>	Mr Clippingdale C / O George F White,	<b>Agent:</b>	Mr Craig Ross 4-6 Market Street, Alnwick, NE66 1TL,
<b>Ward</b>	Pegswood	<b>Parish</b>	Hebron
<b>Valid Date:</b>	31 May 2018	<b>Expiry Date:</b>	10 August 2018
<b>Case Officer Details:</b>	Name: Mr Richard Laughton Job Title: Planning Officer Tel No: 01670 622628 Email: richard.laughton@northumberland.gov.uk		

**Recommendation:** That this application be REFUSED permission



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### 1. Introduction

1.1 The application is being determined by the Castle Morpeth Local Area Council at the request of the Interim Director of Planning due to significant planning issues in relation to the Green Belt.

## **2. Description of the Proposals**

2.1 Planning permission is sought for the demolition of the existing farmstead and erection of 3 No dwelling houses at Land East Of Benridge Moor House, Longhorsley, Northumberland.

2.2 The three separate agricultural structures on site comprise of varying degrees of condition and scale including materials such as brick, metal sheeting and timber boarding to external walls. The site was subject to a prior approval (Ref:17/02685/AGTRES) to convert the the 3 main structures to dwellings under a prior approval application but was refused as it was considered that the level of works required would involve substantial structural additions that are considered to be above and beyond 'building operations reasonably necessary'. This was based on the condition of the existing structures and proposed works. Another prior approval application (Ref:18/03164/AGTRES) is pending consideration to re-visit the conversion of the buildings.

2.3 The application seeks to demolish the agricultural buildings on site and replace with 3 detached dwellings rather than a conversion. The submitted planning statement states that the applicant wishes to pursue the redevelopment of the site for residential accommodation rather than upgrade the existing steading including refurbishment of the existing agricultural buildings. The proposed dwellings would be large 4 bedroom detached properties constructed with traditional stonework and sited over the footprint of the existing barns and utilising the existing access.

2.4 The site is located within a small hamlet approximately 650m to the north east of Pigdon. Benridge Moor comprises 5 dwellings and agricultural buildings that lie within the Open Countryside. Heighley Gate Garden site is located approximately 900m to the north west with access via a public footpath.

## **3. Planning History**

**Reference Number:** 15/03815/FUL

**Description:** Change of use of agricultural shed into 1no. four bedroom dwelling with attached garaging. Conversion of 2no. small sheds to stabling adjacent to proposed dwelling.

**Status:** Refused

**Reference Number:** 17/02685/AGTRES

**Description:** Notification of prior approval for conversion of three agricultural buildings to provide 3 dwelling houses.

**Status:** Refused

**Reference Number:** 18/00017/AGTRES

**Description:** Change of use of existing agricultural buildings to two dwelling houses

**Status:** Withdrawn

**Reference Number:** 18/03164/AGTRES

**Description:** Change of use of 3 agricultural buildings to dwelling houses.

**Status:** Pending Consideration

### 3. Consultee Responses

Public Protection	Objection
Hebron Parish Council	No response received.
Highways	No objections subject to conditions
Countryside/ Rights Of Way	No objections
County Ecologist	
Lead Local Flood Authority (LLFA)	No objections
Northumbrian Water Ltd	No objections

### 5. Public Responses

#### Neighbour Notification

Number of Neighbours Notified	3
Number of Objections	0
Number of Support	3
Number of General Comments	0

#### Notices

Site notice - Public Right of Way, 5th June 2018

Morpeth Herald 14th June 2018

#### Summary of Responses:

Two letters of support has been received of the application. The present redundant farm buildings are prominent but are currently an eyesore, dangerous and unsafe during high winds. The proposed development would improve the appearance of the area and support amenities in Fairmoor and Heighley Gate.

The above is a summary of the comments. The full written text is available on our website at:

<http://publicaccess.northumberland.gov.uk/online-applications//applicationDetails.do?activeTab=summary&keyVal=P94JWPQSGP700>

### 6. Planning Policy

#### 6.1 Development Plan Policy

Saved Policy S5 of the Northumberland County and National Park Joint Structure Plan First Alteration (February 2005)

Morpeth Neighbourhood Plan 2011-2031 (Made 10th May 2016)

Policy Sus1- Sustainable Development Principles

Policy Des 1 –Design Principles

Policy Set1- Settlement Boundaries

Policy Env1- Landscape and Wildlife Corridors  
Policy Tra3 – Transport Requirements for New Developments

Castle Morpeth District Local Plan (2003)  
C1 – Settlement Boundaries  
C11 – Protected Species  
C15 – Trees in the Countryside and Urban Areas  
C16 – Green Belt  
RE6 – Service Infrastructure  
RE8 – Contaminated Land  
RE9 – Ground Stability  
H1 – Housing Land Supply  
H9 – Affordable Housing in Rural Areas  
H15 – New Housing Developments  
H16 - Housing in the Countryside  
R8 - Public Footpath and Bridleways

## 6.2 National Planning Policy

National Planning Policy Framework (2018)  
National Planning Practice Guidance (2014, as updated)

## 6.3 Other Documents

Northumberland Local Plan (Draft Plan for Regulation 18 Consultation July 2018)

## **7. Appraisal**

7.1 In July 2018 the Government published an updated National Planning Policy Framework (the NPPF). The policies within this Framework are material considerations which Local Planning Authorities should take into account from the day of its publication. The NPPF operates under a presumption in favour of sustainable development which is at the heart of the NPPF. It states that development proposals which accord with the development plan should be approved without delay unless material considerations indicate otherwise. The NPPF also provides specific policy guidance on development proposals which is, in itself, a material consideration in the determination of such schemes.

7.2 The adopted Development Plan for the area within which the application site is located comprises the Morpeth Neighbourhood Plan 2016, saved policies of the Castle Morpeth District Local Plan, adopted in 2003 and saved Policy S5 in the Northumberland County and National Park Joint Structure Plan First Alteration (February 2005). Policy S5 establishes the general extent of an extension to the Tyne and Wear Green Belt around Morpeth.

### Housing Supply

7.3 In accordance with the NPPF, the Council is required to identify and update annually a supply of specific deliverable sites sufficient to provide five year's worth of housing against their housing requirement. The five year housing land supply position is pertinent to proposals for housing in that paragraph 11 (d) and corresponding footnote 7 of the NPPF indicates that the presumption in favour of

sustainable development applies where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.

7.4 As set out in paragraph 73 of the NPPF, where the strategic policies are more than 5 years old, local planning authorities should measure their housing land supply against their local housing need. In accordance with the standard methodology, Northumberland's local housing need figure is currently 717 dwellings per annum. Against this requirement, and taking into account the supply identified in the Council's latest Five Year Supply of Deliverable Sites 2017 to 2022 report, the Council can demonstrate a 12.1 years supply of housing land. Therefore Northumberland clearly has more than a 5-year housing land supply, and as such, in this context, the presumption in favour of sustainable development does not apply.

7.5 This supply position updates that presented in the Council's 'Position statement following withdrawal of the draft Core Strategy (Nov 2017)', and in the Five Year Supply of Deliverable Sites 2017 to 2022 report (Nov 2017) which used an Objectively Assessed Need of 944 dwellings per annum, informed by superseded evidence. While the draft Northumberland Local Plan includes a housing target of 885 dwellings per annum, given that the plan is not yet adopted, this target has not been used for the calculation of the Council's five year housing land supply position, as to do so would not reflect the NPPF.

### Principle of Development

#### *Open Countryside*

7.6 The application site lies in an area beyond the settlement boundaries of Morpeth as defined in both the Morpeth Neighbourhood Plan and Castle Morpeth District Local Plan (2003). Morpeth Neighbourhood Plan Policy Sus 1 states that proposals for new development will be expected to be accommodated within settlement boundaries defined in the neighbourhood plan other than in those circumstances defined in policy Set1. Morpeth Neighbourhood Plan Policy Set 1 states that 'Areas outside the settlement boundaries will be treated as open countryside where development will only be supported where it serves or supports the following purposes or activities:

- A. Farming and other land based rural businesses, or the sustainable diversification of these activities; or
- B. Existing business and enterprises; or
- C. A sustainable visitor attraction that is related to the experience or interpretation of the countryside or a sustainable leisure development which respects the character of the countryside where needs are met by existing facilities within settlement boundaries; or
- D. The development of local services and community facilities to support a rural community; or
- E. Housing that meets the criteria in paragraph 55 of the NPPF; or
- F. Appropriately designed extensions to existing buildings, including extensions to dwellings, which are subservient to and respect the scale and appearance of the existing building".

It is considered that the proposal would only be compliant with Set1 if it fits with the criteria of paragraph 78-79 in the new NPPF (July 2018), formerly paragraph 55 of the previous NPPF.

7.7 The site also falls outside a defined settlement boundary in the proposals map and under saved policies C1 (settlement limits). The proposal is therefore identified as 'open countryside' and Policy C1 of the Local Plan restricts development beyond settlement limits unless in accordance with the relevant criteria of the identified policies within the plan. This includes Policy H16 which states that new houses in the open countryside will only be permitted if:

- i) they are required in connection with the day-to-day operation of an agricultural or forestry enterprise;*
- ii) it can be clearly shown that it is essential for a full time worker to live adjacent to his or her place of work;*
- iii) the unit and agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;*
- iv) the accommodation cannot be provided by the conversion of an existing building on the holding;*
- v) there are no suitable dwellings in the area available for occupation by that worker”.*

7.8 As the new dwelling would not conform to these criteria, it would be contrary to policies C1 and H16 as no such exceptions have been demonstrated. The principles within the NPPF, however, at paragraph 78 state that:

*“ To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby”.*

7.9 In addition, paragraph 79 states that:

*“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:*

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;*
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;*
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;*
- d) the development would involve the subdivision of an existing residential dwelling;*
- or*
- e) the design is of exceptional quality, in that it:*

- is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and*
- would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area”.*

7.10 The site is a vacant agricultural site that lies within the open countryside and is detached from a village or large settlement. It is accepted however, that as it is situated to the west of a small hamlet of 5 dwellings, it cannot be considered as an 'isolated' location and therefore, is not required to meet the exceptions within paragraph 79 of the NPPF. Under the requirements of paragraph 78 however, the site is located within a small cluster of properties and therefore, not recognised as a 'village' and there are no other services in a villages nearby that the additional housing would help support. As the site is outside of settlement boundaries, it is not in accordance with the Local Plan principles of maintaining the rural character of the open countryside, nor is it supporting services in other rural settlements, as set out within the NPPF and Policy Set 1 of the Morpeth Neighbourhood Plan.

7.11 Overall, the proposal would be unjustified development within the open countryside and would be contrary to MNP Policies Sus 1, Set 1 and the NPPF. In addition the proposal would be contrary to Local Plan Policy C1 as the proposal can not be justified as being essential to the needs of agriculture or forestry. It is not permitted by the relevant policies in the development plan including Policy H16 as this only allows new housing in the open countryside where it is required in connection with the day-to-day operation of an agricultural enterprise and where the proposal accords with other criteria..

### *Sustainability*

7.12 Section 2 of the NPPF identifies the purpose of the planning system to meet sustainable development with 3 overarching objectives; economic, social and environmental.

7.13 In terms of the economic role, proposals should be located in the right places at the right time to support growth. As the Authority can demonstrate a 5 year housing land supply and therefore, up to date housing policies within the local plan, there has to be weight given to these policies and the principles of directing development towards existing towns and villages to prevent the unnecessary intrusion of development into the countryside. There would be an economic benefit through the construction phase of 3 dwellings although this would be a minor contribution that would not significantly outweigh its location within the open countryside

7.14 The site is generally isolated from other settlements that offer access to essential services. There are no existing footways or street lighting in the vicinity and no immediate links to regular public transport. The neighbouring settlements and hamlets such as Pigdon and Espley offer no form of public services although, it is acknowledged that Heighley Gate Garden Centre is located to the east of the site but via an unlit public footpath/track across open fields approximately 900m away. The facility available may offer some form of ancillary uses but the site is predominantly a garden centre. It is not considered that adequate justification has been demonstrated for achieving sustainable development. It is therefore considered that the site does not meet the social objectives of sustainability..

7.15 The scheme would replace agricultural buildings that are currently in a poor state of repair with housing and associated landscaping. It is accepted that this would have a positive impact but as the current use is not considered as previously

developed land within the NPPF, there can be little weight afforded to the environmental benefits.

7.16 Overall, the proposal would not meet the sustainability objectives within the NPPF and in particular would not be located within in a area that is accessible to everyday facilities.

### *Green Belt*

7.17 Northumberland Structure Plan Policy S5 established the general extent of a Green Belt extension around Morpeth. While the plan did not define a detailed outer boundary or boundaries to settlements located within the general extent, as worded in Policy S5, the settlement boundary for Morpeth as identified in the MNP effectively forms the basis of the inner Green Belt boundary for all decision-making during the interim period. As such, given the site falls outwith the defined settlement boundary in the MNP and clearly falls within the proposed Green Belt, under the Joint Structure Plan(JSP) Policy S5 definition, it is considered that the application site is located within the Green Belt extension. Recent appeal decisions ref: APP/P/2935/W/17/31677263 at High House Lane, and Appeal Ref: APP/P/2935/W/17/3167852 Lynebank, B1337 Ulgham Village Main Road, Ulgham NE61 3AW, set out a consistent approach for establishing whether a site lies in the general extent of the Green Belt extension where no boundaries have been clearly defined. It is considered appropriate that this same approach should be applied in this case.

7.18 First, to determine whether the site is within the general extent of the Green Belt, an assessment of the sites contribution towards the Green Belt purposes needs to be made. Both Inspectors referred to another appeal decision by the Secretary of State on an appeal for 'Land off Avon Drive' near York where it was concluded that it is enough for a site to make a contribution to one of these purposes for it to be within the general extent of the Green Belt.

7.19 In terms of the site's contribution to the five purposes of the Green Belt as defined by paragraph 80 of the Framework, the first Green Belt purpose is "to check the unrestricted sprawl of large built up areas". The site is not near a large built up area and does not act as a barrier to the unrestricted sprawl therefore it does not make a contribution to the first Green Belt purpose. The proposal would also not lead to "neighbouring towns merging into one another", and the second Green Belt purpose is therefore not an issue. The third Green Belt purpose is to "assist in safeguarding the countryside from encroachment". The proposed development would represent an encroachment into the countryside and contributes to the third Green Belt purpose. The fourth Green Belt purpose is "to preserve the setting and special character of historic towns". It is considered that the site does not make a significant contribution to the fourth Green Belt purpose. The fifth Green Belt purpose is "to assist in urban regeneration, by encouraging the recycling of derelict and other urban land". The inclusion of the site in the Green Belt would direct development to urban areas, including potentially suitable sites within Morpeth, thereby contributing to urban regeneration. As such, the site contributes to the third and fifth of the Green Belt purposes. It can therefore be concluded that the site is within the general extent of the Green Belt as established by Policy S5 of the JSP.

7.20 In turn both the NPPF and Policy C17 of the Local Plan identify a list of appropriate uses in the Green Belt for which new build development may be permitted. Any other uses not identified are deemed to be inappropriate.

7.21 The provision of new build housing is not listed as one of the appropriate uses in the Green Belt under Local Plan Policy C17. The NPPF, at para 143, lists exceptions to the general policy of Green Belt restraint, setting out forms of development that are considered to be appropriate in the Green Belt. This does however, differ slightly to the exceptions listed under Local Plan Policy C17 and so greater weight should be given to the NPPF. In terms of new buildings in the Green Belt the NPPF, under para 143, allows;

*“a) buildings for agriculture and forestry;*

*b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*

*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

*d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

*e) limited infilling in villages;*

*f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*

*g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*

- not have a greater impact on the openness of the Green Belt than the existing development; or*

- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”.*

7.22 The proposed dwellings would represent inappropriate development in the Green Belt, which by definition is harmful, as the buildings proposed do not fall within any of the categories under which new build in the Green Belt would be allowed in the NPPF, as well as Local Plan Policy C17. In particular, the site consists of agricultural barns with the intention to demolish and rebuild new dwellings. The definition of previously developed land excludes land that is or was last occupied by agricultural or forestry buildings. The current and previous use of the site is agricultural and therefore, not recognised within the NPPF as previously developed land. As very special circumstances have also not been demonstrated where the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

7.23 It is therefore considered that in principle the development of the new dwellings on this site in the Green Belt would be inappropriate and would be contrary to Local Plan Policy C17, and the NPPF.

## Contaminated Land

7.24 Public Health Protection has been consulted and object to the application on the grounds that the applicant has submitted insufficient information to assess the risk from contaminated land due to the previous agricultural use.

7.25 In accordance with Note 17 of Northumberland County Council's Planning Application Validation Checklist, dated: August 2017 "Subject to prior pre-application discussions, all new development with a sensitive end use (including dwellings, allotments, schools, nurseries, playgrounds, hospitals and care homes) require a minimum of a Phase 1 Land Contamination Assessment (often referred to as a Preliminary Risk Assessment) to be submitted", as this information has not been submitted Public Health Protection are not in a position to appropriately assess this application.

7.26 Northumberland County Council subscribe to the YALPAG Technical Guidance for Developers, Landowners and Consultants for Development on Land Affected by Contamination. In line with this guidance a desk-top study must be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works / Quantitative Risk Assessment (or state if none required). If identified as being required following the completion of the desk-top study, an intrusive site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/ or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use.

7.27 In the absence of any such site investigations within the application following a request from the Local Planning Authority, it has not been demonstrated that land contamination would pose a risk to future occupants. As such, the proposal would be contrary to the provisions of RE8 of the Castle Morpeth District Local Plan and the NPPF.

## Ecology

7.28 Any potential impacts on protected habitats/species that may be present will need to be accounted for by way of appropriate avoidance, mitigation and/or enhancement strategies to ensure that favourable conservation status of the population/habitat is at least maintained and to ensure that individual animals are not harmed in accordance with Paragraph 174 of the National Planning Policy Framework.

7.29 Paragraph 99 of the ODPM circular states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.

7.30 The application has not been supported by an ecological report and therefore more information has been requested from the County Ecologist. The site comprises an area of agricultural units. Some of these buildings appear to be steel framed, however the construction materials for all buildings is unclear. Whilst steel framed agricultural buildings are unlikely to support roosting bats, brick or stone built ones do have the potential. Barn owls also have the potential to use agricultural buildings to nest in. Approximately 50m to the north east there is a large ornamental pond. This pond appears to support wildfowl but it is unclear if this pond supports fish. Given the presence of other ponds within the area, there is the possibility that great crested newts may be present and as such, as a minimum a Habitat Suitability Index assessment of the pond will be required. This should be part of a Preliminary Ecological Assessment (PEA) survey for the entire site. This is required as a minimum, before the potential ecological impact of this scheme can be assessed.

7.31 If this assessment shows a reasonable likelihood of protected habitats or species being present then full surveys of these using recognised methodologies would need to be undertaken prior to determination of any application.

7.32 Overall, there is the potential for protected species to be present on site however, no Ecological Surveys have been submitted in support of the application. It has therefore not been demonstrated that there would be no risk to any protected species, and as such the development would be contrary to the provisions of the NPPF and Local Plan Policy C11.

### Highways

7.33 The Highways Authority has been consulted and has no objections as it is considered that the proposal will not create any road safety issues at this location. Considering highway and pedestrian safety and the amenity of the surrounding areas, a construction method statement would be required prior to the start of any works and also identify the routes to the site. The provision for vehicles cleaning facilities, parking facilities for the visitors as well as for the workers should be submitted along with the storage areas and loading/unloading zones. Such information can be imposed via suitable conditions to any approval granted. As the application presents to risk to highways safety, the application is in accordance with the NPPF.

### Other issues

7.34 The application has made reference to the approval of other applications of a similar nature however, the current proposal has to be considered on its own merits and assessed against the criteria within national and local planning policy.

### Equality Duty

7.35 The County Council has a duty to have regard to the impact of any proposal on those people with characteristics protected by the Equality Act. Officers have had due regard to Sec 149(1) (a) and (b) of the Equality Act 2010 and considered the information provided by the applicant, together with the responses from consultees and other parties, and determined that the proposal would have no material impact on individuals or identifiable groups with protected characteristics. Accordingly, no changes to the proposal were required to make it acceptable in this regard.

## Crime and Disorder Act Implications

7.36 These proposals have no implications in relation to crime and disorder.

## Human Rights Act Implications

7.37 The Human Rights Act requires the County Council to take into account the rights of the public under the European Convention on Human Rights and prevents the Council from acting in a manner which is incompatible with those rights. Article 8 of the Convention provides that there shall be respect for an individual's private life and home save for that interference which is in accordance with the law and necessary in a democratic society in the interests of (inter alia) public safety and the economic wellbeing of the country. Article 1 of protocol 1 provides that an individual's peaceful enjoyment of their property shall not be interfered with save as is necessary in the public interest.

7.38 For an interference with these rights to be justifiable the interference (and the means employed) needs to be proportionate to the aims sought to be realised. The main body of this report identifies the extent to which there is any identifiable interference with these rights. The Planning Considerations identified are also relevant in deciding whether any interference is proportionate. Case law has been decided which indicates that certain development does interfere with an individual's rights under Human Rights legislation. This application has been considered in the light of statute and case law and the interference is not considered to be disproportionate.

7.39 Officers are also aware of Article 6, the focus of which (for the purpose of this decision) is the determination of an individual's civil rights and obligations. Article 6 provides that in the determination of these rights, an individual is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal. Article 6 has been subject to a great deal of case law. It has been decided that for planning matters the decision making process as a whole, which includes the right of review by the High Court, complied with Article 6.

## **8. Conclusion**

8.1 The main planning considerations in determining this application have been set out and considered above and assessed against the relevant Development Plan Policies and the National Planning Policy Framework (NPPF). It is considered that the application proposes an inappropriate form of development in the Open Countryside and Green Belt. As the site is restricted by Green Belt Policies, there should be no presumption in favour of sustainable development.

8.2 There are also outstanding technical issues which form refusal reasons due to lack of information relating to ecology and land contamination.

## **9. Recommendation**

That this application be REFUSED permission subject to the following:

## Conditions/Reason

01. The proposal would represent unnecessary and unjustified development in the open countryside outside any defined settlement boundary, contrary to Morpeth Neighbourhood Plan Policies Sus1 and Set1, and Policies C1 and H16 of the Castle Morpeth District Local Plan.

02. The application site lies in an unsustainable location with no services or facilities and is some distance from local facilities, where access to and from the site would be reliant on the private car. As such it is not considered to be in a location where it could also support services in a village 'nearby' using sustainable transport methods. The principle of the residential development in such an unsustainable location would be contrary to the general provisions of the NPPF and Policy Sus1 of the Morpeth Neighbourhood Plan as it would not promote a sustainable form of development in a rural area.

03. The development represents an unacceptable form of development by virtue of its encroachment into the Green Belt. No special circumstances have been demonstrated to outweigh the harm to the openness of the Green Belt. The development is therefore contrary to the provisions of the NPPF and Local Development Plan Policy S5.

04. There is the potential for protected species to be present on site however, no Ecological Surveys have been submitted in support of the application. It has therefore not been demonstrated that there would be no risk to any protected species, and as such the development would be contrary to the provisions of the NPPF and Local Plan Policy C11.

05. The proposed development would replace a disused agricultural site and insufficient information has been submitted to assess the risk from contaminated land. In the absence of any such site investigations within the application following a request from the Local Planning Authority, it has not been demonstrated that land contamination would not pose a risk to future occupants. As such, the proposal would be contrary to the provisions of Policy RE8 and the NPPF.

**Date of Report: 25.10.2018**

**Background Papers:** Planning application file(s) 18/01840/FUL