



Appeal Decision

Site visit made on 23 January 2023

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 March 2023

Appeal Ref: APP/P2935/W/22/3309772

Land South of Jubilee Cottages, U5028 Ridsdale to Hindhaugh, West Woodburn, Northumberland NE48 2RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Winter (Hexham Storage Limited) against the decision of Northumberland County Council.
 - The application Ref 22/00393/FUL, dated 9 February 2022, was refused by notice dated 11 October 2022.
 - The development proposed is siting of a 'Timber Living Trailer'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Mark Winter against Northumberland County Council. This application is subject to a separate decision.

Main Issues

3. The main issues are:
 - Whether or not the appeal site provides a suitable location for the development proposed having particular regard to the development plan's spatial strategy and accessibility; and
 - The effects of the development upon the character and appearance of the countryside and the local landscape.

Reasons

Location of the development proposed

4. The appeal site forms a part of a former quarry, beside the A68 and within the open countryside. Whilst there are some buildings closer-by, including Jubilee Cottages and those at Woodburn Park, the nearest village, West Woodburn, is located approximately 730m to the north and is separated from the site by a number of fields.
5. Although West Woodburn is close enough to the site that walking or cycling to the village would be an option, the route is quite undulating and far enough away that many visitors to the site would likely be dissuaded to. This is particularly the case given that the pavement beside the A68, although served by street lighting and with adequate visibility, is intermittent and is absent at

the point of the site's vehicular access with the road. West Woodburn contains some, but not many services and this includes a post office/village store. Therefore, although the village would provide some facilities to meet the needs of visitors, this would be to only a limited extent.

6. On the basis of the evidence before me, although a bus can be caught in the vicinity of the site, the services offered are very limited, and travel by means of public transport would not provide an attractive feasible option. Public footpaths do cross sections of the site and there are further footpaths in the area. Whilst these would provide easy access to enjoy the countryside, the walking distances that would be involved to connect to other settlements in the area, such as Bellingham, would be considerable.
7. Therefore, I find that the appeal site is relatively isolated from any settlement, situated in a location which would be unlikely to be accessed by walking or bicycle and is poorly serviced by public transport, whilst the nearest village offers a quite limited array of facilities. Consequently, I find that the appeal site is not within an accessible location. Furthermore, the development does not propose any particular measures which could improve the accessibility credentials of the development.
8. Policies STP1 and ECN15 of the Northumberland Local Plan, 2022 (LP) do seek to support rural tourism and visitor accommodation developments, and this support extends to sites within the open countryside, but this is subject to a series of principles. I note that, in respect of new tourist attractions, the supporting justification to Policy ECN15 acknowledges that a site's accessibility should be balanced against the value of them being attractively located. However, that statement specifically relates to the tourism attractions themselves, as opposed to the visitor accommodation which may be stayed within in order to visit those attractions. In specific regard to visitor accommodation such as this, and even when located in countryside locations, the policies are also clear that new sites for camping, caravan and chalet development will be supported within accessible locations, which, for the above reasons, I have found not to be the case.
9. In providing only one accommodation trailer, I accept that the development would be small-scale and, in turn, so would associated private car trips. Whilst this would moderate the effects of the isolated nature of the development to some degree, it does not alter the poor accessibility credentials of the proposal. Consequently, the appeal site would not provide a suitable location for the development proposed having regard to the development plan's spatial strategy and accessibility. In coming to this view, I have taken into account that it is said that the nature of the proposed holiday accommodation is such that it requires a rural location, that the A68 is an established tourist route, and that the proposal would diversify Northumberland's offer of tourism accommodation.
10. The development would, therefore, be contrary to Policies STP1 and ECN15 of the LP. In summary, and amongst other matters, those policies seek to support sustainable rural tourism and leisure development in the open countryside, subject to a series of principles, including that support will be provided for new camping, caravan and chalet visitor accommodation where within accessible locations. I also find that the development would be contrary to Policy STP3 which establishes a suite of sustainable development principles, including that

development should reduce the dependence on travel by private car through being accessible or being made to be accessible by a range of transport modes where feasible. Amongst its advice, paragraph 84 of the National Planning Policy Framework (the Framework) does state that planning decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside, however, given my findings above in relation to the site's accessibility, the appeal proposal cannot reasonably be described as being sustainable. Finally, I find that the development would also be contrary to advice at paragraph 85 of the Framework, which states that development proposals should exploit any opportunities to make the location of rural developments more sustainable.

Effects upon the character and appearance of the countryside and the landscape

11. The former quarry within which the development would be situated is set on rising ground and includes some steeply undulating land. The appeal site includes an existing site access and areas of hardstanding with tracks leading therefrom, some of which are gated. The trailer would be situated on a parcel of land which is enclosed by fencing. The former quarry has a mixture of landscape features and is quite heavily wooded in parts.
12. Given the above, although development would be introduced onto a parcel of land where presently there is none, more generally the former quarry is not free from development features nor set within a location where built development, provided it was adequately sympathetic, would be incongruous. Furthermore, I note the submissions made on the history of the trailer, which sets out its links to rural-based employment. Proposed to be situated within a former quarry, and thereby in a location with a history of rural employment itself, I also find that the character and appearance of the trailer would not be at odds with the proposed setting.
13. Due to the combined effects of the undulating nature of the former quarry, the presence of many trees within it, and the presence of trees and bushes lining sections of the boundaries of the parcel of land the trailer would be situated, effective screening of the development would occur from many vantage points and approaches towards the site.
14. The north-western sections of the parcel of land have less planting close to the boundary and thereby a more open character. There are public footpaths which run to the north of this boundary and, therefore, the trailer and associated paraphernalia would be visible from sections of these footpaths. It is also the case that the trailer incorporates windows to all sides with the western elevation, which would be orientated towards a public footpath and the boundary with the more open character, containing the most glazing.
15. Nevertheless, the western elevation also contains a significant amount of solid timber and there remains a predominance of timber cladding in comparison to glazing. The Landscape and Visual Site Appraisal¹ (LVSA) establishes some principles to bolster boundary planting on all sides, which would provide mitigation, and assist in screening the development from those more open directions. Such planting would also provide some compensation for the vegetation clearance which would be necessary to site the development and, moreover, given the quantum of development proposed this clearance would

¹ Landscape and Visual Site Appraisal Document Ref: 146304/801

unlikely be significant. Had I allowed the appeal, I am satisfied that more detailed landscaping measures which build upon the principles contained within the LVSA could be ensured via an appropriately worded condition. Furthermore, although there are sections of the public footpaths which would have more open views of the trailer, equally along other stretches, the footpaths are lined with trees which, even in the winter months, would heavily filter views of it.

16. The Council have put to me that the development would be highly visible from not only sections of public footpath and close-by locations, but also the wider valley. However, they have not drawn my attention to any specific longer distance views which particularly concern them and given my findings above on the moderating effects of the topography, existing and proposed planting, coupled with the relatively modest scale of the development proposed, I consider no harmful visual effects would be likely to arise nor harm to the underlying landscape character of the area. For the same reasons, and taking into account that the former quarry is not free from development features, any effects upon the openness of the countryside would be very limited and would not amount to harm.
17. Rural Northumberland benefits from large expanses of night-time dark skies, and amongst other benefits, these will be a draw for tourists. Although located within the open countryside, the presence of the street lights along the A68 and the groupings of buildings in the locality means that some night-time lighting will be a characteristic of the area. The amount of glazing to the elevations of the trailer is not excessive and none is directed skyward through the roofscape. Coupled with the aforementioned moderating effects of the topography and landscaping, I am satisfied that the development would not result in an adverse effect upon the experience of the skies at night.
18. Taking these factors into account I find that the development would not cause any unacceptable effects upon the character or appearance of the countryside, the landscape, or the area's dark skies. It follows that, in these regards, the development would therefore accord with the relevant parts of Policies STP1, ECN15, QOP1, ENV1, ENV3 and ENV4 of the LP. Amongst other matters, these policies require that development in the open countryside is sensitive to its surroundings, is adequately screened, minimises light generation and conserves and enhances landscape character. I also find that the development complies with the advice contained within the Framework, including with respect to achieving well-designed places.

Other Matters

19. The development would provide some support to the local rural economy but, in providing for only one accommodation trailer, the contribution to the local economy would be limited. New planting on the site may also provide some ecological enhancement. I also acknowledge the history of the trailer, the efforts made to restore it and that the proposal would provide a use for it. However, it has not been shown to me that the appeal proposal or site are the only option to re-purpose the trailer and although I attribute some weight to these benefits, they are insufficient to outweigh the harm that would be caused due to the site's inaccessible nature and conflict with the development plan's spatial strategy.
20. The appellant has referenced a number of tourism related developments elsewhere in Northumberland which they consider provide some precedent for

that proposed in this case. However, very limited information is provided on each of these cases and in such circumstances, I cannot draw accurate comparisons between the details of those cases and the appeal scheme. Therefore, the cited examples are not a strong influence in my decision.

21. The effects of the development upon the living conditions of any neighbouring occupiers may be acceptable, the standard of the accommodation appropriate for visitors, whilst the development may also not result in any severe highways effects. Furthermore, the development may not cause, nor be subject to, any unacceptable flood risk, land stability or pollution whilst the development may also have been designed to minimise energy consumption. However, the absence of harm in relation to these matters is neutral in the planning balance and does not outweigh the harm I have identified in respect of the first main issue.
22. Finally, I note the appellant's concerns about their pre-application discussions with the Council. However, such matters are not determinative as to the acceptability of the appeal proposal. I have therefore considered the proposal on its merits, based on the evidence before me.

Conclusion

23. Whilst I have concluded that the proposal would have acceptable effects upon the character and appearance of the countryside and the landscape, this does not outweigh the harm that would be brought about by the inaccessible location of the development having regard to the development plan's spatial strategy. This and the resulting conflict with the aforementioned development plan policies leads me to conclude that, despite the proposal according with various other LP policies, the development therefore conflicts with the development plan as a whole.
24. There are no material considerations of sufficient weight to indicate a decision other than one in accordance with the development plan and, therefore, the appeal is dismissed.

H Jones

INSPECTOR