



Appeal Decision

Site visit made on 24 October 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th December 2023

Appeal Ref: APP/P2935/W/23/3328243

**Rookwood House, Widdrington Village, Morpeth, Northumberland
NE61 5ED**

- 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 Dunsire against the decision of Northumberland County Council.
 - The application Ref 22/04752/FUL, dated 22 December 2022, was refused by notice dated 13 June 2023.
 - The development proposed is change of use and siting of two no. chalets to be used as holiday accommodation.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of the proposed development from the decision notice which accurately describes the proposal.
3. The Council's second reason for refusal is focussed on the effect of the proposed development on the setting of the Grade I listed building known as the Church of The Holy Trinity and the main issue reflects this matter in dispute.
4. However, I have also been referred to the Grade II listed buildings known as Mitford Headstone 11 metres east of Holy Trinity Church porch, Craister and Taylor Headstones 4 metres south east of Holy Trinity Church porch, the group of 6 table tombs to south of Holy Trinity Church, the Widdrington War Memorial and the scheduled ancient monument known as Widdrington Castle and 18th century Gothic castle and gardens south of Widdrington Farm (the SAM).
5. Accordingly, I have had regard to the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) in relation to the listed buildings. As both parties have addressed these heritage assets within their evidence, their interests have not been prejudiced by my consideration of them in my decision.
6. The appellant has provided a signed Unilateral Undertaking (UU) pursuant to section 106 of the Town and Country Planning Act 1990 (as amended). The UU is concerned primarily with providing a financial obligation for a coastal mitigation service contribution. I shall return to this matter later in my decision.

Main Issues

7. The main issues are:

- Whether the development plan would support the proposed holiday accommodation in this location;
- Whether the proposed development would preserve a Grade I listed building or its setting, known as Church of The Holy Trinity, and any features of special architectural or historic interest which it possesses; and
- The effects of the proposed development on the character and appearance of the surrounding area.

Reasons

Development Plan

8. Policy STP1 of the Northumberland Local Plan (Local Plan) seeks to manage the location of development within settlement boundaries. The appeal site lies outside of a settlement boundary and thus is considered open countryside for the purposes of the Local Plan. Criterion G) of Policy STP1 provides several exceptions where development outside settlement boundaries could be supported. In so far as they are relevant to this appeal, these include support for sustainable rural tourism developments in accordance with Policy ECN15 of the Local Plan.
9. Criterion 2.F) of Policy ECN15 says that new or extensions to existing sites for camping, caravans, and chalets will be supported in accessible locations outside the two AONBs (now known as National Landscapes) and the World Heritage Site and its buffer zone, provided the development is adequately screened, taking into account short and long range views, by existing topography or vegetation or new good quality landscaping compatible with the surrounding landscape.
10. The long rectangular form, low height, appearance and means of installation of the two units mean they would be readily identifiable as chalets. Moreover, the application description of development was submitted, validated, and determined on this basis. I therefore consider that the proposal falls to be assessed against criterion 2.F) of Policy ECN15 as a new chalet development and none of the other criteria in this policy are determinative. I have reached this finding notwithstanding the size of the proposed chalets and accepting that they have elements found on more robust permanent buildings.
11. The appeal site is well screened by a strong deep tree belt from the A1068 road, such that the chalets would only be glimpsed in views, and this, in the language of Policy ECN15, would be adequate screening. However, the appeal site is highly visible from the southern portions of the church graveyard and the access to its south western corner, even with the change in topography due to the low height of the boundary wall and the spacious gaps between trees. The graveyard is a publicly accessible area, and Unit 1 in particular, would be prominent due to its size and close position.
12. Additional fruit trees are proposed along the wall, however I do not have full details of the planting proposed, such as the height and density of trees. This

would in any case take a considerable time to establish and would not assist in addressing the views from the south western access to the graveyard. Moreover, the ability of the existing and additional planting to help soften the chalets would be reduced in the winter months. Overall, I am not satisfied that this, in combination with the existing landscape features, would adequately screen the proposed development.

13. The site is a short walk along the footpath to the core of Widdrington village and there are also bus stops along the road. In the context of a development in the countryside, where the National Planning Policy Framework (the Framework) accepts that the opportunities for sustainable rural transport solutions are reduced, I consider the site to be an accessible one. Matters relating to the rights of access over the proposed access drive are private legal matters. The accessibility of the site does not outweigh my findings on the lack of screening from the graveyard and thus the conflict with criterion 2.F) of Policy ECN15.
14. The proposal would therefore conflict with the requirements of Policy ECN15 and STP1 of the Local Plan when taken together. Accordingly, I find that the development plan would not support the proposed holiday accommodation in this location.

Church of The Holy Trinity

Special interest and significance

15. The grade I listed Church of The Holy Trinity is a modest sized church constructed of stone and a slate roof with a late 12th century core that was remodelled and extended in the 14th century. Its historical use as a religious site from the 12th century, surviving 14th century windows and medieval fabric, its gabled bellcote, and its external ecclesiastical architectural character, all contribute to its special historical and architectural interest and significance.
16. The church is positioned divorced from the core of the village along the A1068 but behind a strong tree line. From the A1068 the church is not prominent due to its modest height and the depth of the tree belt. Instead, it is within close proximity, on the approach to the church, and from within its grounds, that the significance of the church as a building of considerable social and cultural importance to the local community is experienced.
17. The church is set within grounds containing, amongst other things, several maturing trees, and a graveyard. The graveyard makes a significant contribution to the understanding of the historic use of the building as a church, as the graveyard would have historically been used for quiet contemplation and to pay respects to the deceased. Indeed, it appears to be still in use as I saw several more recent graves with flowers laid in the southern portion of the graveyard near the appeal site. In so far as it relates to this appeal, the full extent of the graveyard forms an important part of the setting of the church and thus makes a positive contribution to its significance as a building of considerable local social and cultural importance.
18. The graveyard's position to the south of the church with the tree belt to the west, agricultural field to the east and the large open spacious garden containing trees associated with Rookwood House, results in a semi-rural

tranquil setting to the church. This graveyard is also a largely private and enclosed space, apart from the boundary to the garden of Rookwood House.

19. The undeveloped, soft, and spacious qualities of the appeal site can be seen over the stone boundary wall through the large gap between trees, from within the graveyard and from the access to the south western corner of the graveyard. There is little to indicate that these views were designed or historic views, but they are part of the way that the graveyard is presently experienced. In this regard, these physical qualities make a positive contribution to its peaceful setting and thus the significance of the listed building.

Appeal proposal and effects

20. Unit 1 would be located very close to the boundary wall of the graveyard and would be prominent in views from both the south western access to the graveyard and from within it. Unit 2 would be less prominent due to its position set away from the boundary and near Rookwood House.
21. Views from the church itself would be largely intercepted by a mature tree within the graveyard. However, from the central footpath running through the graveyard once past the tree and from the south western access, the proposed development would be highly visible as outlined previously. Moreover, as previously outlined, the additional planting proposed would not adequately screen the proposal from these areas.
22. The introduction of two holiday chalets in this garden would result in a significant intensification from the existing open, undeveloped qualities of the appeal site. Presently, there would be the potential for noise and disturbance from any occupants of Rookwood House using the garden. However, it has a large garden with areas closer to the dwelling more likely to be intensively used in my opinion. In contrast, the introduction of Unit 1, in particular, near the graveyard would result in a level of activity and noise from guests enjoying their holiday that would, in my view, be harmful to the peace and tranquillity of the southern part of the graveyard. This would be exacerbated by the comings and goings of vehicles near the boundary of the graveyard. In this regard, the proposal would harm the contribution that the appeal site, as part of the setting of the listed building, makes to its significance and special interest.
23. The chalets would be subservient in height to the taller Rookwood House and materials would not be inappropriate in its context with the surrounding buildings and vegetation. However, the absence of harm in relation to these matters does not outweigh the harm I have identified above.
24. Drawing the above together, the proposed development would fail to preserve the special interest of the Grade I listed building, known as the Church of The Holy Trinity, and its setting. As a result, the expectations of the Act have not been met and the proposal would harm the significance of this designated heritage asset.

Public benefits

25. Paragraph 199 of the Framework advises that great weight be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). Paragraph 200 goes on to advise that significance can be harmed or lost through alteration or destruction of the

heritage asset or development within its setting and that this should have clear and convincing justification.

26. With reference to paragraphs 201 and 202 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. In this instance, the harm to the listed building would be 'less than substantial' due to the scale of the development and its presence within a part of the listed building's setting. Nevertheless, any harm is of considerable importance and weight. Under such circumstances, paragraph 202 advises that this harm should be weighed against the public benefits of the proposal, which includes securing the asset's optimum viable use.
27. I have no reason to question whether there would be a demand for the chalets. In this regard, the scheme would provide social and economic benefits from two additional chalets used for holiday purposes, including from their installation, spend from their occupiers, the creation of jobs and the additional revenue to the owner. There would also be some environmental benefits from the additional planting. However, given the scale of the proposal for two chalets, the nature and scale of the associated public benefits that would flow from the scheme to the public at large would be modest.
28. Overall, the weight that I ascribe to the public benefits that would result from the proposal, would not be sufficient to outweigh the weight that I attach to the harm I have identified. As such, the proposal would not comply with paragraph 202 of the Framework. It follows that it would also be contrary to Policy ENV7 of the Local Plan. This says, amongst other things, that development proposals will be assessed and decisions made that ensure the conservation and enhancement of the significance, quality and integrity of Northumberland's heritage assets and their settings.

Character and appearance

29. Given the site's physical relationship to Rookwood House, the church and the village, the term "countryside" is not a particularly apt description even though it forms part of the countryside for planning policy purposes. Instead, the appeal site forms part of a transitional landscape. In this regard, the spacious and undeveloped gaps between buildings along this part of the A1068, including the appeal site, positively contribute to a semi-rural character.
30. Even though holiday chalets are not an unusual feature in a rural environment, the combination of the large footprint of the chalets, their appearance, use and the extent of hardstanding would have an urbanising effect on that part of the garden. Moreover, the chalets would not be well screened from the graveyard or from its access in its south western corner. Unit 1, in particular, would erode the spacious undeveloped gap between Rookwood House and the church.
31. Given my findings of harm in relation to the peaceful setting of the church, it follows that there would also be harm to the character and appearance of the surrounding area. The extent of harm would be localised but there would nonetheless be harm, which would not be mitigated by the chalets' height being subservient to Rookwood House, the materials, the additional planting proposed or the level of screening from the A1068.
32. I therefore find that the proposed development would result in harm to the character and appearance of the surrounding area. Accordingly, I find conflict

with the requirements of Policies QOP1 and 2 of the Local Plan and the provisions of the Framework when taken together. These seek, amongst other things, that the physical presence and design of development preserves the character of the area and does not have a visually obtrusive or overbearing impact on neighbouring uses.

Other Matters

33. The listed Widdrington War Memorial, Mitford, Craister and Taylor Headstones and the group of 6 table tombs are all positioned close to the church. The official listing for the memorial stipulates the reasons for its designation. This includes its historic interest as a witness to the tragic impact of world events on the local community. Moreover, the listing refers to its architectural interest as a simple, poignant wheel-headcross in the Celtic style and its group value with the Church of the Holy Trinity, the other listed churchyard monuments, and the SAM. I have no reason to disagree with these reasons.
34. The other listed churchyard monuments date to the 18th century. Their age, quality of design, elegance, and positional prominence within the graveyard, contribute to their special architectural and historical interest. They are all modest sized but eye-catching features within the graveyard and the setting to the church.
35. In so far as they relate to this appeal, the position of these grade II listed structures near the church, away from the southern section of the graveyard, is such that the appeal site's green undeveloped qualities do not contribute to their peaceful setting. In this regard, I find that the appeal site does not make a positive contribution to their significance and special interest. Accordingly, the proposed chalets, or the activity associated with them, would not erode the setting and thus significance of these listed monuments.
36. The SAM includes the site of a medieval tower house (Widdrington Castle) in the north west corner of its designation, part of its gardens, and the site of an 18th century Gothic castle to the south east of its designation. The Gothic castle remains are visible as a large mound in the field. The visible remains, and the potential for archaeological investigation, contribute to the SAM's historical and archaeological interest and significance.
37. The appeal site is close to the SAM and part of its wider setting, but I have no substantive evidence of a specific historic relationship between the two sites. The SAM is not experienced from the appeal site due to the extent of intervening screening. In this regard, I find that the appeal site contributes little to its setting and thus its significance and special interest. Given the single storey nature of the chalets, the intervening screening, and distance I find that there would be no harm to the setting and thus significance of the SAM.
38. Numerous non-designated heritage assets were identified nearby in the appellant's Heritage Impact Assessment including an air raid shelter within the grounds of Rookwood House. There is no dispute between the parties that the proposal would not result in any harm in connection with any of these heritage assets and I have no reason to disagree. The remains of the air raid shelter would still be experienced with a historical functional connection with the house. Moreover, given the single-storey height of the chalets, and their location within the garden, there would be no harm to the setting of any of the other assets.

39. The absence of harm in relation to these other designated and non-designated heritage assets are neutral matters that weigh neither for nor against the proposal.
40. My attention has been drawn to two houses which have been developed to the north of the church. These have been developed within its setting and are closer to the church building than the proposed chalets would be. However, my concerns are not the distance between the church and the proposed chalets but the relationship between the chalets and the graveyard and its south western access. In this regard, the houses are set further away from the church graveyard than the nearest chalet in the appeal scheme. As such, from the evidence before me, the circumstances of that scheme are not the same as the appeal proposal.
41. The appeal site is within the zone of influence of the Northumberland Coast Site of Special Scientific Interest (SSSI). Given the location of the appeal site to the SSSI, the Habitat Regulations¹ require an assessment to be undertaken, as to whether the proposal would be likely to have a significant effect, on its interest features. This includes potential effects from recreational disturbance from occupiers of new tourist development. In this regard, the UU submitted with the appeal seeks to secure a financial obligation for a coastal mitigation service contribution with the aim of mitigating such potential effects.
42. As the competent decision-making authority, if I had been minded to allow the appeal it would have been necessary for me to complete an Appropriate Assessment for this scheme. However, I have already identified harm to the church, the character and appearance of the surrounding area and conflict with the development plan, such that undertaking my own Appropriate Assessment would not alter the outcome of the appeal. On that basis, there is no need to examine this matter further for the purposes of making my decision.

Conclusion

43. The proposed development would conflict with the development plan as a whole and there are no material considerations which indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

Mr R Walker

INSPECTOR

¹ The Conservation of Habitats and Species Regulations 2017 (The Habitats Regulations)