



Appeal Decision

Site visit made on 15 January 2024

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 13 February 2024

Appeal Ref: APP/T9501/W/23/3333895

**Land east of Walltown Lodge, Walltown, Greenhead, Brampton,
Northumberland CA8 7JD**

- 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 and Mrs E Forwood against the decision of Northumberland National Park Authority.
 - The application Ref 22NP0056, dated 8 July 2022, was refused by notice dated 28 June 2023.
 - The development proposed is construction of two self-build principal residences.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was made in outline with all matters reserved for future determination. I have treated any details of those reserved matters shown on drawings as illustrative.
3. Since the Authority took its decision and the appeal was made, the National Planning Policy Framework (the Framework) has been revised. Both main parties have been given an opportunity to comment on any implications of the changes. Those Framework policies relied upon by the main parties have remained more or less unchanged, apart from the paragraph numbers in some cases. For the avoidance of doubt, I have referred to the revised paragraph numbers in my decision letter.

Main Issues

4. The main issues raised by this appeal are: whether the development would be in an appropriate location for new housing; the effect of the development on the landscape character of the Northumberland National Park (NNP), and; the effect of the development on the designated heritage assets associated with the Frontiers of the Roman Empire (Hadrian's Wall) World Heritage Site (WHS).

Reasons

Location

5. The appeal site is largely enclosed by low stone walls and, at the time of my visit, was over grown and without any buildings or structures visible on it. It sits between a house, Walltown Lodge, and an area of woods, and backs onto a large open expanse of upland pasture. In the vicinity is the Walltown Quarry

car park and visitor centre, and the complex of buildings at the Roman Army Museum, also with a car park. Notwithstanding the number of visitors who may come to these attractions, the site cannot reasonably be considered to be in a village or settlement. Although the proposed dwellings would be situated next to an existing house and its outbuildings, the location is rather one that has the character of countryside with isolated and dispersed buildings set within it.

6. Northumberland National Park Local Plan, 2020 (LP) Policy ST4 sets out the spatial strategy for the NNP. This focuses development in Named Settlements, of which the few buildings in the Walltown vicinity are not included. It considers sites elsewhere as being in the Open Countryside where development is only permitted in certain cases. The proposed development would not accord with the three specific categories in that Policy. LP Policy ST5 only permits new Principal Residence housing in Open Country locations in particular circumstances, again none of which would apply to the appeal proposal. The location is not one in which the development plan finds new housing suitable.
7. Unlike many locations in the Open Countryside, occupiers of the proposed dwellings could take advantage of bus services using stops close to the site. These serve the tourist destinations nearby, linking them to towns and villages in the Tyne Valley. These buses might support trips to services and facilities in nearby and farther afield settlements. However, based on the information supplied, they are not so conveniently timed or so frequent as to be likely to support many of the day to day needs of occupiers going to work, attending education or carrying out domestic or recreational trips. Other bus services stop some distance from the site. Given the distance, routes and topography between those bus stops and the proposed homes, these would be unlikely to be a regular convenient choice particularly in inclement weather and after dark. The site's location, away from services and facilities, would not minimise overall journeys arising from the development.
8. Similarly, although the nearest settlement which has some facilities, Greenhead¹, is on footpath and cycle routes, the steep topography between it and the site would make it unlikely that all but enthusiastic walkers and cyclists would make such a journey on a regular basis. In any event, any relative advantages in terms of connectivity compared with other locations does not alter the LP presumption against housing development in the location. The public transport, walking and cycle connectivity of the site would not remove the need for private vehicle trips and not render the site an otherwise acceptable one for new housing.
9. Whilst the Framework, at paragraph 83, acknowledges that development in one village may support services in another nearby when considering rural housing, the proposed location is not within a settlement and consequently could not attract any support from this policy.
10. The LP encourages the delivery of self-build housing and the Authority aim to be proactive in identifying plots. However, LP Policy ST5 requires that such housing needs to accord with other relevant housing policies and does not consider this type of housing as an exception in Open Countryside locations. The Government is actively seeking to increase the supply of self- and custom-build housing and the Framework identifies the contribution small sites can make bringing sites forward quickly for those types of housing. Nevertheless, I

¹ Greenhead lies outside the NNP and is not a Named Settlement in LP Policy ST4.

have not been provided with any information about the supply of, and demand for, suitable sites for self- and custom-build homes, and therefore nothing to suggest that in this case the self-build nature of the proposal should attract anything other than very limited additional weight.

11. The appellants advise that the site has been previously built on although it is unclear from the appellants' aerial photographs whether these were permanent structures nor what their use may have been. In any event, bearing in mind the Framework's definition² of previously developed land, the Framework's encouragement of making effective use of land does not indicate that the site should be developed contrary to other Framework and development plan policies. The proposal's situation outside a settlement would avoid the substantial weight that the Framework identifies at paragraph 124 c) for reusing brownfield land in any event.
12. The development would not be in a suitable location for new housing nor reduce the need to travel, contrary to the Framework and LP Policies ST5, ST1 and DM9, and consequently LP Policy ST4. Any benefits from the site being a small one that may be developed quickly for self-build homes would be very limited and outweighed by this policy conflict.
13. The appellants disagree with how the LP caters for new housing supply and criticise the LP's spatial strategy approach. Nevertheless, there is no substantive evidence to suggest that the LP is out of date in these regards, nor that any conflict with it should carry reduced weight. The LP does not set housing targets but aims to meet its housing requirements, which are annually very modest, in policy compliant locations and is clear that it also partly relies on dwellings being built outside the NNP in what it terms 'gateway' settlements. Although the appellants advise that the Authority has not met its housing 'targets', this is not supported by any substantive evidence. Even if new house building levels within the NNP have been lower than anticipated, there is no convincing support for development on this particular site as a way of addressing such an issue.
14. The appellants have drawn my attention to other situations where dwellings in the NNP have been approved but where the Local Highways Authority have noted sustainable access limitations and locations far from some services and facilities. However, and notwithstanding that each case needs to be considered on its own merits and that I have not been presented with full details of these cases, I note that in the two cases the addresses were in Named Settlements as set out in LP Policy ST4 and therefore materially different to the appeal site location. I can appreciate that the appeal site may offer better public transport connectivity and be closer to settlements with facilities than these two examples, but this does not alter the fact that the appeal site is not in a settlement and these other cases do not indicate that a decision contrary to the development plan would be justified.

Landscape character

15. The site would back on to the remote feeling open fields of upland landscape which characterise this part of the NNP in an area which the Authority's

² Which includes the curtilage of the developed land but with the caveat that *it should not be assumed that the whole of the curtilage should be developed* and that it excludes *land that is or was last occupied by agricultural or forestry buildings ...and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.*

character assessment and guidance³ notes that the landscape seems timeless and unmodified since Roman times. The predominant absence of buildings in the area, and the dispersed and scattered nature of those that there are, is one of the defining characteristics of the area. The distinctive landscape character of the NNP is identified as one of its Special Qualities.

16. The site is bounded by a low wall, but this lends it the character of a small field or paddock rather than any degree of domesticity. It is set within an undeveloped landscape on three sides and any development on the site would be prominent in the landscape from the south where long distance views include the site and its wooded surrounds. The adjacent Walltown Lodge building illustrates how prominent buildings are likely to be on the site, even if they avoid the conspicuous white render used on part of that building. The development would result in a significant intrusion in the landscape.
17. Landscaping may go some way to screening or breaking up their outline but given the extensive views to the south afforded by the site any such treatment is unlikely to substantially hide any development. The size and configuration of dwellings would have some effect on the degree of intrusion that they may have on the area's character and appearance, and the use of traditional materials typical of the area could assist in assimilating new buildings into the landscape. However, it has not been convincingly demonstrated that even much reduced sized buildings than those shown on the indicative drawings would avoid the harmful effects of introducing development onto this vacant area of land.
18. Any new dwellings' proximity to Walltown Lodge would mean that they would read as part of a small group of buildings rather than being completely isolated, but this would only have a limited effect in reducing their intrusiveness overall. The adjacent plantation and other vegetation to the north would go some way to assimilating or screening development on the site, but this would only be from some aspects. As a result, the development of the site in a variety of configurations would create an intrusive element in the landscape and harm the character and appearance of the NNP's sensitive landscape.
19. The car parking at the Museum has a degree of landscape screening and that at Walltown Quarry is extensively screened by its surrounding topography. In any event, the temporal and seasonal nature of vehicles visiting these places means that the effects of car parks, even sizeable and well used ones, has a very different effect on the character of the area than permanent buildings. The presence of such facilities have not created the conditions where the effects of the appeal proposal would be diminished to any extent that would avoid a harmful effect on the character of the area. Furthermore, the consideration of tourist facilities in terms of balancing benefits and effects will likely to have been different to that of private housing.
20. As required by the Framework at paragraph 182 I have given great weight to conserving and enhancing landscape and scenic beauty in the NNP which has the highest status of protection in relation to these issues. The development would fail to conserve or enhance those attributes and would be contrary to LP Policies ST1, ST2 and DM11. Together, and amongst other criteria, these seek

³ Northumberland National Park Authority Local Development Framework – Landscape Supplementary Planning Document, 2011 and Northumberland National Park Authority Update of Landscape Character Assessment for Northumberland National Park, 2019.

to avoid adverse effects on the quality of, and to maintain, protect and enhance, the character of the landscape, and the NNP's distinctive character and Special Qualities.

Designated heritage assets

21. The site is within the WHS buffer zone and lies immediately adjacent to the WHS and to the Roman Cemetery and Stanegate Roman road⁴ scheduled monument (Stanegate) and is close to the Carvoran Roman fort⁵ scheduled monument. The Framework identifies WHSs and scheduled monuments as assets of the highest significance whose conservation should be given great weight commensurate with that importance. Although it is not part of a designated heritage asset itself, the site is located in a very sensitive area with regards to its immediate adjacency to the WHS which is recognised for its Outstanding Universal Value (OUV) and its component scheduled monuments. The Statement of OUV⁶ identifies the purpose of the buffer zone being *to protect the property's OUV from development which could affect the ability to appreciate Roman military planning and land use*.
22. The physical remains of the two monuments largely lie below ground although the Stanegate is visible intermittently as an upstanding earthwork. The monuments' significance as designated heritage assets include the buried and visible remains of roman military architecture, engineering, and communications infrastructure as well as their associated evidence of those living in the area including the cemetery.
23. The statement of OUV also highlights the importance of the hinterland dependent on the frontier that reflects complexities and unifying factors of Roman Culture. An aspect of the significance of the WHS in this area is its situation within the remote open countryside where it can be appreciated and understood. Even where physical evidence cannot be observed, the absence of development in the surroundings enables an appreciation of this evocative historic and rich cultural landscape. Therefore, the site's location means that any development on it would have an effect on the setting of the WHS and those monuments.
24. The significance of the WHS and its components relies on being set within that cultural landscape where natural and man-made elements combine to give it its special qualities. Therefore, in the absence of any substantive evidence to the contrary, some of the landscape harm identified above arising from the visual intrusion of two dwellings on the site would be likely to translate to harm to the setting of the WHS and monuments where the development would form a built backdrop to views across the WHS and Stanegate monument when viewed from the south and interrupt views of it from the other direction.
25. Historic England raised concerns about the proposal in the absence of a fully detailed application, albeit they felt it likely that some form of development could be accommodated on the site without harming the setting of the WHS and monuments. I can appreciate that the appellants have taken some comfort

⁴ Entered in the National Heritage List as: The section of Stanegate Roman road from Fell End Roman temporary camp to the track to Old Shield, and the Roman cemetery adjacent to Carvoran Roman fort.

⁵ Entered in the National Heritage List as: Carvoran Roman fort and Hadrian's Wall and vallum between the unclassified road to Old Shield and the field boundary west of the fort in wall miles 45 and 46.

⁶ Statement of Outstanding Universal Value for The Frontiers of The Roman Empire and its Component Parts (WHS FRE) (C430).

from this. However Historic England identified a parameter or design code approach as what they termed a 'next best option' to a full planning application, but they remain in favour of the former.

26. Given the importance of the assets, and the sensitivity of the site and its surroundings, it would not be appropriate to leave important aspects such as the physical parameters of any development to be subsequently approved by way of a reserved matters application or a condition. This is because the scale or disposition of buildings on the site may well be determinative in assessing whether any development would or would not have a harmful effect on the significance of designated heritage assets, and if there was harm, its extent which would need to be weighed against any public benefits.
27. Bearing in mind the Framework's requirement at paragraph 200 that the significance of any heritage assets affected, including any contribution made by their setting, should be fully described by an applicant, in this case there is insufficient information to demonstrate that significance would not be harmed, nor that any harm has been given clear and convincing justification (paragraph 206). The appellants' detailed archaeological reports are limited to such evidence on the site itself. It has therefore not been satisfactorily demonstrated that the development would accord with LP Policy DM14's historic landscape and heritage conservation requirements.
28. Although buildings and car parking at the Museum may also have had an effect on the setting of the same designated heritage assets I have not been presented with the details of those developments, the considerations they raised nor how any benefits to the local tourist economy may have affected any balancing that might have been necessary.

Conclusion

29. For the above reasons, the development would not be situated in an appropriate location for new housing, would harm the landscape character of the NNP and has failed to demonstrate that harm to the significance of designated heritage assets would be avoided. The development would be contrary to the development plan considered as a whole and the Framework. The very limited benefits arising from the development would not outweigh the harm this conflict carries. The appeal is therefore dismissed.

Geoff Underwood

INSPECTOR