



Appeal Decision

Site visit made on 16 April 2024

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th May 2024

Appeal Ref: APP/P2935/W/24/3336745

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 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by Mr Mark Winter (Hexham Storage Limited) against the decision of Northumberland County Council.
 - The application Ref is 23/04122/FUL.
 - The development proposed is siting of '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 (Hexham Storage Limited) against Northumberland County Council. This application is the subject of a separate decision.

Main Issue

3. Whether the site location is suitable for the proposed development, having regard to development plan policy governing proposals within the open countryside.

Reasons

4. The appeal site relates to land which was previously associated with the disused Woodburn Quarry to the south of West Woodburn. The site is located in the open countryside and is currently being used as a site for camping/caravanning and at my site visit, I observed that there was provision for a number of pitches which were indeed used for such purposes.
5. The proposed development seeks permission for the siting and use of a showman's trailer as permanent holiday accommodation. The proposed trailer would be located within the northeast corner of the site and would be situated on wheels.
6. Policy ECN 15 of the Northumberland Local Plan 2016-2036, 2022 (NLP) relates to tourism and visitor development and promotes Northumberland as a destination for tourists and visitors. Part 2 (f) of Policy ECN 15 is particularly relevant to the proposals in question and explains that new or extensions to existing sites for camping, caravans, and chalets will be supported in accessible locations outside the two AONBs 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. This policy is closely aligned with the National Planning Policy Framework (the Framework) which explains at paragraph 88 that planning policies and decisions should enable amongst others: sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 89 goes on to explain that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances, it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist. Whilst the Framework acknowledges that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, it nevertheless sets out that the planning system should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.

7. Although the site would not constitute previously developed land, it is clear that sustainable rural tourism including new or extensions to existing sites for camping, caravans, and chalets will still be supported within accessible locations and I have had due regard to the supporting text accompanying Policy ECN 15 relating to such development. To this end, the site is located off the A68 within the open countryside with the nearest village of West Woodburn located 720 metres north of the site. Those further afield would be more considerable. The route to West Woodburn would require visitors to walk down the gravel track to the A68 where there are only sections of designated footpaths. Any visitors would have to walk along grassed highway verge then cross the A68 to reach the narrow footpath and the distance involved including along the busy A68 would likely dissuade visitors from walking/cycling. The street lighting and visibility that exists would not lead me to a different finding on this as it would still be an undesirable and lengthy route. I am aware that a bus can be caught in the vicinity. However, the services offered are very limited and thus would not provide an attractive option for travel and would still require visitors to use the sporadic amounts of footways. Additionally, West Woodburn contains very few facilities and thus would be limited in meeting the needs of visitors.
8. There are local and national policies which support the sustainable growth and expansion of all types of businesses in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings as well as the provision of sustainable rural tourism and leisure developments as referred to above. However, given my findings as set out in relation to the site's accessibility, the location of the development is unsustainable in terms of offering genuine transport links other than the use of private car and cannot therefore be described as being sustainable. I appreciate that the development would cater for holiday, leisure and recreation purposes and that the site's location and the nature of the local road network may indeed be part of its attraction. I also note claims made in relation to requiring a rural location. However, this would not overcome the policy context for such developments

and the sustainability issues associated with the site. The history of the trailer and nearby public rights of way/connections to the countryside would also not alter my findings on this as it would again not change the overall accessibility issues of the site.

9. A notification was submitted to the Council under reference 23/02123/MISC for up to 5 caravans and 10 tent pitches, for the duration of 1 year, subject to the granting of the certificate by the relevant body which would fall within permitted development. The site has been operating as a certified site with the Woodland Champions Club, with a certificate issued by them to the appellant under the Caravan Sites and Control of Development Act 1960 and is valid for one-year periods, renewed every year provided the operator abides by the organisation's rules. The appellant claims that this amounts to a legitimate fallback position which should be given sufficient weight in the consideration of this appeal, and I am aware of case law in this respect.
10. Whilst I do not question that the site is currently operating as a site for camping/caravanning based on the evidence provided and my own observations onsite, the caravans and tents are sporadically sited within the site and are inherently temporary. The proposed development would however be for the permanent siting of tourist accommodation in a specific location within the northeast corner of the site as indicated on the plans despite its capability of being moveable and overall, the nature of both schemes is somewhat different. The use of the site for up to 5 caravans and 10 tent pitches could generate high levels of vehicle movements which I do not dispute. However, given the differences between both schemes including their location within the site, I am not sufficiently convinced that the proposed development would reduce car journeys. This is because the site could still likely be used for 5 caravans and 10 tent pitches under the previous notification particularly given the extent of the ownership boundary. Comments made in terms of appearance would therefore not weigh in favour of the appeal as there would not be any significant difference in this regard if both the appeal proposal and the fallback were to be carried out which could indeed happen based on the evidence before me. On this basis, the fallback position is given limited weight.
11. It is not my role within the context of this appeal to determine if the trailer falls within the definition of a caravan although Part 2 (f) of Policy ECN 15 still relates to camping, caravans, and chalets. It is also not my role within the context of this appeal to determine if it would be lawful on the site under reference 23/02123/MISC and the certificate issued to the applicant by the relevant body. This is because I am determining the appeal before me which relates to the permanent siting of tourist accommodation and thus would be the subject of Policy ECN 15 of the NLP which must be assessed accordingly.
12. My attention has been drawn to other decisions for tourism developments in the area and whilst I do not have all of the information which would have been before the decision maker in those cases, I note that these were indeed subject to a different policy context and thus not directly comparable even if some weight was attributed to the NLP which was emerging at that time. This is because the starting point for determining applications remains with the development plan which was in those cases the Tynedale Local Plan and Tynedale Core Strategy. In any event, other developments do not justify the

appeal proposals and I have assessed the current appeal based on its own individual planning merits and in light of current planning policy.

13. I conclude that the site location is not suitable for the proposed development, having regard to development plan policy governing proposals within the open countryside. It would therefore be contrary with Policies STP 1, ECN 15 and STP 3 of the NLP which together, amongst other matters, supports new or extensions to existing sites for camping, caravans, and chalets in accessible locations. For the same reasons, the proposed development would also be contrary to the Framework relating to supporting a prosperous rural economy.

Other Matters

14. There may be sufficient screening from prevailing views of the development within the wider landscape and I have had due regard to the Landscape and Visual Site Appraisal carried out. I also note the comments made in relation to design matters and light generation/spillage. However, such matters are neutral in my overall decision as are matters relating to ecology, water/waste management, highways safety, land contamination and residential amenity.
15. The proposed development would have some economic and social benefits from providing holiday accommodation. However, in providing for only one trailer, the contribution would be limited and would not outweigh the harm identified.

Conclusion

16. The proposed development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR