
Appeal Decision

Site visit made on 7 August 2024

by T Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd August 2024

Appeal Ref: APP/P2935/W/24/3342404

Hadrians Garden Villa, Rufflers Close, Well Bank, Henshaw, Nr Bardon Mill, Hexham, Northumberland NE47 7HF

- 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 Stanley Richardson against the decision of Northumberland County Council.
 - The application Ref 23/01243/FUL, dated 1 April 2023, was refused by notice dated 16 October 2023.
 - The development proposed is to develop the existing paddock area south of the existing holiday let (Hadrians Garden Villa) to form 4 plots to contain 4 (2 bedroomed) lodges/cabins for holiday lets including on site parking, including residential use for the existing holiday let (HGV) to allow management of the 4 new holiday let lodges/cabins.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description on the Council decision notice varies from that on the application form. That on the application form is sufficient to describe the proposal and I have determined the appeal on that basis. I have however omitted wording that is not a description of development.
3. The Council have stated that the submitted vehicle tracking plans are acceptable from a highway perspective and that they no longer wish to defend the fourth reason for refusal relating to concerns over vehicle access and egress at the site. I have not therefore considered that matter any further.

Main Issues

4. The first main issue is the effect of the use of Hadrians Garden Villa (HGV) for residential purposes with regard to the development plan and other considerations. The second is the effect of the proposal on the character and appearance of the area. The third is whether the holiday accommodation proposed would be acceptably located having regard to the requirements of the development plan.

Reasons

Residential use

5. Although located at the end of a short run of nearby properties, the appeal site including HGV is located within the open countryside in a slightly elevated

position on the side of the Tyne Valley, isolated and away from the linked settlements of Bardon Mill, Redburn and Henshaw which sit lower within the valley close to the A69.

6. Northumberland Local Plan (2022) (LP) policies STP 1 and HOU 8 are of relevance. Amongst other things Policy STP1 seeks to broadly deliver sustainable development and seeks to guide residential development towards main towns and villages. With regard to the proposal before me, the Policy supports development in the open countryside if it can be demonstrated that it provides for residential development in accordance with Policy HOU 8. This relates to isolated residential development in the open countryside. The appellant suggests that they require the restriction which requires the use of HGV as a holiday let to be lifted to enable them to live at the site to manage the lodges/cabins.
7. However, there is nothing to indicate that a full time presence would be needed at the site to meet the operational needs of the lodges/cabins. There is little evidence indicating the amount of work that would be required in their management and such a need would not be justified just in an attempt to deter anti-social behaviour by prospective users of the lodges/cabins. The evidence indicates that HGV is a successful holiday let in its own right.
8. The removal the restriction on HGV would not therefore meet the requirements of Part 1.a. or Part 1.c. of Policy HOU 8. Amongst other things these state that the development of isolated homes in the open countryside will only be supported where there is an essential and clearly established need for a full-time rural worker necessary to meet the operational needs of a rural business to live permanently at or near their place of work in the countryside and where it re-uses redundant or disused buildings. The proposal would not meet any of the other exceptions identified within the Policy.
9. The proposal would subsequently give rise to an isolated residential development within the open Countryside. There would therefore be conflict with Policy HOU 8 and Policy STP 1 which amongst other things set out the strategy for the location of development seeking that development is sustainably located. There would also be conflict with the Framework¹, which states that planning decisions should avoid the development of isolated homes in the countryside, given that none of the circumstances under sub paragraphs a)-e) of paragraph 84 would apply.

Character and appearance

10. There is some planting on the boundary of the site which would assist in screening the lodges/cabins from public viewpoints to some extent and I accept that further planting could be conditioned. The site is largely screened in views from the road to the front of HGV due to the falling landform and the fact that the lodges/cabins would be set down from and below HGV.
11. However, the lodges/cabins would be likely to be visible from the Public Right of Way (PROW) which passes closely to the boundary of the site and would therefore have some degree of public visibility. Long distance views could be possible from the other side of the Tyne Valley, but any visual impact at those

¹ National Planning Policy Framework 2023.

distances is likely to be very limited, particularly bearing in mind the rather visually imposing buildings associated with the transport depot to the west.

12. It is the case that lodges/cabins do not reflect local building traditions which often incorporate stone walling and slate roofing or are of often of agricultural appearance and materials. The lodges/cabins would therefore stand out as visually uncomfortable buildings within the locality when viewed at close range from the PROW. This would harm the character and appearance of the area.
13. The proposal would conflict with Policies QOP 1, QOP 2, QOP 4, STP 1, ENV 1 and ENV 3 of the LP. Amongst other things these policies require that development proposals should make a positive contribution to local character and distinctiveness and that the character of Northumberland's distinctive and valued natural, historic and built environments will be at a minimum conserved.

Location of holiday accommodation

14. The site is not situated along Hadrians Wall which is approximately 1.8km away as the crow flies. However, at that distance, the appeal site does not fall within an unreasonable walking or cycling distance from Hadrians Wall or indeed other tourist attractions within the vicinity of the appeal site.
15. Whilst the site would possibly be a less attractive to those walking the Hadrians Wall Path, there may be others who are happy to deviate from that route or indeed visit this area on a standalone basis to visit the attractions within proximity of the site. The lodges/cabins would be tight knit with the existing small grouping of property at and around Rufflers Close.
16. Nothing convinces me that the proposal would not diversify the tourist offering. The appellant identifies a nearby development of Shepherds Huts (The Hideaway Huts) and identifies the 1 bedroom Hygge Cabin close to the appeal site. Therefore, on the basis of the evidence, the provision of two bedroom lodges/cabins would be likely to add some diversity to the local holiday accommodation.
17. The location of the holiday accommodation would therefore be acceptable. There would be no conflict with policies ECN 13 and ECN 15 of the LP. Amongst other things there is a requirement that in the open countryside, new permanent buildings for visitor accommodation will only be supported where they would demonstrably improve and diversify the County's tourist offer and/or clearly provide necessary accommodation along an established tourist route and be located as close as is practicable to existing development.

Other Matters

18. My attention has been drawn to other local holiday accommodation. However much of that accommodation appears to relate to Shepherds Huts which have a different appearance to the lodges/cabins of the appeal scheme and are therefore not directly comparable. I am not clear about the location of a development for 6no. dwellings under 19/01484/REM.
19. I note that there appear to be historic approvals for a significant number of holiday cottages. However, these relate to a different form of development to that proposed. I am also directed to a historic planning permission relating to the use of a nearby property for residential purposes. However, the planning

policy background a number of years ago may have been different to that in place now. The siting of the existing Hygge Cabin is discrete. Overall, I afford these matters limited weight. Concern over the manner in which the Council has handled the application is something to be dealt with between the main parties.

Planning Balance and Conclusion

20. There would be benefits to the proposal in the form of the provision of net additional holiday accommodation including economic benefits through construction and occupation. However, the proposal would harm the character and appearance of the area and would give rise to an isolated residential development within the open Countryside. The benefits would not outweigh the harm.
21. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan with which the proposal would conflict. There is also conflict with the Framework which further weighs against the proposal. I therefore conclude that the appeal should be dismissed.

T Burnham

INSPECTOR