

Appeal Decision

Site visit made on 30 August 2024

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 September 2024

Appeal Ref: APP/P2935/W/24/3344765

Former railway yard, Velvet Hall, Horncliffe, Northumberland TD15 2JX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by National Design + Development Ltd against the decision of Northumberland County Council.
 - The application Ref is 23/04155/FUL.
 - The development proposed is the erection of 4 no. new dwellings together with access and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A screening direction was issued under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations). In exercise of the powers conferred by Regulations 14(1) and 7(5) of the EIA Regulations, the Secretary of State directed that the proposed development is not EIA development.

Main Issues

3. The main issues are:
 - The effects of the proposed development upon the character and appearance of the area including the former Velvet Hall railway station;
 - Whether the appeal site provides a suitable location for the development proposed having particular regard to relevant policies within the development plan, and within the National Planning Policy Framework (the Framework), which control the spatial distribution of development in rural areas; and
 - Whether safe and appropriate provision would be made for access, parking and the movement of highway users.

Reasons

Character and appearance and the former Velvet Hall railway station

4. The appeal site is located within a rural part of Northumberland. Historically the site formed part of the former Velvet Hall railway station. Some of the former railway station's infrastructure has been lost, but the appeal site still contains the former station's weigh office building and some remains of the station platform whilst, beside the site, the former station house building itself is located. As well as these remaining features on and next to the site, off-site railway workers cottages and stone railway line bridge abutments are readily appreciable in the area. Taken together, these various pieces of infrastructure inform on the station's and railway line's function, character and layout in the past. Presently, much of the appeal site is hard surfaced with some landscaped bunds to its edges, and it contains material deposits and shipping containers.
5. The site of the former station, and the corridor of the former Kelso Branch Line it served, are recorded in the Northumberland Historic Environment Record. The former railway station provides evidence of transport and the workings of railway stations and their lines in the past. The former station house was designed by John and Benjamin Green who were responsible for the design of other railway stations on the Newcastle to Tweedmouth section of the East Coast main line. Consequently, I find that much of the significance of the former railway station as a non-designated heritage asset is derived from its historic interest.
6. Furthermore, the former station house itself provides an example of the appearance of rural railway stations of its era and is therefore of architectural interest – a further facet of the former railway station's significance. Forming a part of a historic rural railway station, the former station house will have in the past, and still retains, separation and detachment from other residential properties in the area. This sense of separation from other properties allows the former station house's character and appearance to be appreciated and positively contributes to it.
7. Despite the loss of infrastructure that has taken place over time, and some of the alterations made to the station house's original architecture, for the reasons given above, the former railway station clearly retains heritage interest.
8. With 4 detached dwellings proposed and associated works, the proposal would introduce onto the site development of a quite significant scale and land-take. In so doing, the proposal would result in the land which was principally reserved for the former railway station's goods depot becoming much more built-up. I find that the scale and layout of the proposed development would harmfully contrast with the historic use of the site, and it would reduce the ability to appreciate and understand the site as it was laid out, and as it functioned, when a working railway station. Such effects upon the legibility of the former railway station would be harmful to its significance as a heritage asset.
9. Even though the individual dwellings proposed would be smaller properties than the former station house, they would each be 2-storey, 4-bedroomed

detached properties and, thereby, quite large. Altogether, the proposal would introduce next to the former station house a considerable mass of residential development. Furthermore, the 4 dwellings proposed would have a like design, and the proposal would result in a cohesively designed enclave of residential development. Often, this may be a positive characteristic of a development, but in this site's particular context, and given that part of the former station house's character is derived from it being an isolated rural building that served a particular function, the introduction of a housing development with such an overtly consistent character and appearance would, in itself, appear out of place here.

10. The introduction of this development in such close proximity to the former station house would infringe upon the space to the property's surrounds, and it would harmfully detract from, and be harmfully at odds with, facets of the property's character which positively contribute to it. When travelling towards the site along the A698 from the east these impacts would be particularly appreciable, but they would also be apparent when viewed from the north, off the road leading to Horncliffe.
11. For these reasons, the proposed development would harm the character and appearance of the area and harm the significance of the former Velvet Hall railway station as a heritage asset.
12. I acknowledge that as part and parcel of the proposed development the material deposits and shipping containers on the site would be removed. However, generally, these existing features are positioned away from the former station house, and they are well screened from off-site vantage points by the likes of the landscaped bunds, the former weigh office and sections of stone wall. They do not harmfully infringe upon the former station house nor the legibility of the former railway station as the proposal would.
13. Whilst it is put to me that the proposal would also result in the repair of the former weigh office, and the enhancement of the remnants of the platform to better reveal their significance, the plans provide very limited information on what, precisely, is proposed. On the basis of what is before me, I conclude that any benefits derived from the tidying up of the site, or the works to and preservation of the former weigh office and platform, would be clearly outweighed by the harmful effects I have described above.
14. Regardless of whether heritage assets are those of the highest significance or, as is the case here, more of local historic value, the Framework sets out that they are irreplaceable resources and should be conserved in a manner appropriate to their significance. Amongst other matters, Policy ENV 7 of the Northumberland Local Plan 2016-2036 (LP) seeks to ensure that decisions made on development proposals ensure the conservation and enhancement of the significance of Northumberland's heritage assets. Consistent with advice in the Framework, Policy ENV7 also sets out that proposals that affect the significance of non-designated heritage assets shall require a balanced judgement, taking into account the scale of any harm or loss and the significance of the heritage asset.
15. As the proposal would harm the significance of the former Velvet Hall railway station as a non-designated heritage asset, the proposal would conflict with

Policy ENV7. Given the asset's heritage interest, and the particular effects the proposal would have upon it, I find the degree of harm that would be caused to it would be quite considerable. Furthermore, because of the harm to the character and appearance of the area that would also result, the proposal would conflict with LP policies QOP 1 and QOP 2 which require proposals to represent good design, preserve the character of an area and contribute to a strong sense of place. Furthermore, given the harmful effects I have identified, I cannot conclude that the proposal would be well designed, and paragraph 139 of the Framework advises that in such circumstances developments should be refused.

Location

16. On the opposite side of the road to the appeal site there is farmstead and a short row of terraced properties. However, altogether, given their number and composition, I find that these buildings and those of the former railway station form only a small building group and not a settlement. The small village of Horncliffe and the smaller still Longridge Towers are well separated from the site by tracts of countryside. Therefore, the site is also not situated within, or adjacent to, the built form of any settlement. Instead, the site forms a part of the open countryside, isolated from any settlement, within a rural part of Northumberland.
17. Policy STP 1 of the LP sets out a spatial strategy for development within the County. The policy restricts residential development in the open countryside. At criterion (g) Policy STP 1 sets out the limited circumstances in which housing in the open countryside is supported: where it accords with policies HOU 7 or HOU 8.
18. Policy HOU 7 is concerned with the provision of exception site housing such as certain affordable housing. Open market houses are proposed. The proposal would not constitute the exception site housing to which HOU 7 relates.
19. The proposal would not specifically provide housing for rural workers. It would not involve the sub-division of an existing dwelling nor a design which would meet the very high bar of being truly exceptional, outstanding or innovative. Although the proposal would involve the redevelopment of land forming a part of a heritage asset, it can be seen from my conclusions on my first main issue that harmful effects upon the former Velvet Hall railway station would result from the proposal. The proposal would not be putting the heritage asset to a beneficial viable use in the longer term. Consequently, the proposal would not represent the optimal viable use of a heritage asset, nor would it amount to an appropriate enabling development.
20. Although the former weigh office building would be re-used, this would very much amount to a secondary element to the main development: the erection of 4 new houses. Moreover, given the harm that would be caused to the character and appearance of the area and the heritage asset, the setting of the former weigh office building would not be enhanced overall.
21. As a result, the proposal would meet none of those exceptional circumstances when isolated residential development in the countryside is accepted by Policy HOU 8 of the LP or by paragraph 84 of the Framework. As

the proposal would not accord with either HOU 7 or HOU 8, the limited circumstances in which STP 1 supports housing in the open countryside would also not be met, in conflict with the policy, and the spatial strategy set out therein. The appellant refers to Policy HOU 2 of the LP, but for housing to comply with this policy it must be consistent with the County's spatial strategy. For the reasons I have set out above, the proposal would not.

22. In coming to this view, I note that the proposal would redevelop previously developed land within the countryside, some support for which is offered by criterion (i) of Policy STP 1. However, criterion (i) does not absolve the requirement of a proposal to constitute one of the accepted forms of development in the countryside set out in this case by criterion (g). Furthermore, whilst paragraph 124 of the Framework advises that substantial weight should be afforded to the use of suitable brownfield land within settlements, as the appeal site is not within a settlement, it does not garner this degree of weight.
23. Horncliffe has a small array of services. I saw on my visit that the village had a pub, a community building and bus stops. I also noted a school at Longridge Towers. However, in order to access the typical range of services that the future occupiers of the proposed development would be likely to require frequently, I expect trips farther afield would be necessary. Most likely to Berwick. At around 5km from the site, accessing the services and facilities of Berwick would therefore involve the future occupiers of the development travelling quite far.
24. Although there is no bus stop infrastructure in place, the appellant submits that buses do stop on the A698 within 40m of the site. However, I have been provided with very limited information on the frequency of the services. In such circumstances, I cannot conclude that bus services in the area provide a credible and practical alternative to private vehicles.
25. In the vicinity of the site, the A698 does not include dedicated footpaths nor streetlights. The speed limit is 60mph. As a result, it provides a somewhat hostile environment for pedestrians. Other roads in the area, and which lead to settlements like Horncliffe, are generally narrow, winding country lanes. These are factors which would be likely to reduce future occupiers' inclination to walk and cycle to gain access to the forms of facilities to meet their needs.
26. Therefore, future occupiers of the proposed development would be likely to be heavily reliant on the use of a private motor vehicle. As such, the proposal would fail to accord with Policy TRA 1 of the LP which, amongst other matters, seeks to promote a spatial distribution of development which creates developments that are accessible, that maximise the use of sustainable modes of transport and that reduce the need to travel by car.
27. For the above reasons, the appeal site would not provide a suitable location for the development proposed. I have identified that it would conflict with particular policies within the development plan and the Framework which control the spatial distribution of development in rural areas.

Highway related matters

28. During the processing of the planning application, I note that the local highway authority submitted an objection dating from November 2023. In response, the appellant submitted a technical note dated January 2024 and then, in March, updated consultee comments were provided by the local highway authority ahead of the Council's determination. The appellant's appeal submissions have included, as an appendix to their appeal statement, a further dedicated highways response which, within its appeal statement, the Council have had opportunity to respond. Given this chronology of exchanges in relation to highway related matters, I find that the Council's appeal statement provides me with the most up to date position of its objections to the proposal in this regard and, in turn, the key matters in dispute I must focus upon.
29. Speed surveys have informed the Y dimension of the site access visibility splay – a distance of 160m east and west of the access. Plan VelvetHall/01/0001 A depicts this visibility splay, and it shows a section of the splay, west of the site access, straying beyond the A698 carriageway into land to the south of it. Land here, on this southern side of the A698, includes a grass verge but there are trees growing right beside it as well with branches growing through and above a fence and towards the carriageway. I have been provided with no compelling evidence of who owns or controls this land. There is a very real prospect that the roadside landscape features could be in a state of growth that they would at times obstruct visibility in this western splay. Given the lack of evidence before me on the land ownership, I have very little reason to be assured that the landscaping would be maintained so that visibility within the splay would be unobstructed.
30. Therefore, it has not been shown to me that the visibility splay can be achieved. The strength of my lack of confidence that the visibility splay is achievable, and can be adequately secured, is such that the use of a condition in the circumstances would not be appropriate. Such a condition could unreasonably impact upon the deliverability of development proposed and, for this reason, it would fail to meet the tests for the imposition of conditions as summarised at paragraph 56 of the Framework.
31. I have already set out earlier in my decision that the A698 provides for a somewhat hostile environment for pedestrians in particular, and I find that the character of this road would act to deter the future occupiers of the development from choosing to travel by means other than by car. In this regard, the proposal would fail to minimise conflict between different highway users and modes of transport on the highway network.
32. For the above reasons, the proposal would not provide safe, suitable or effective access arrangements to the existing road network. In coming to this view, I have had regard to the appellant's submission that the proposal would remove conflict between the vehicular movements associated with the storage and distribution use of the site and the occupation of the former station house. However, I have been provided with very little evidence of this alleged conflict.
33. Within the site, vehicles, pedestrians and cyclists alike would all utilise the same access road. However, movements from all the properties which would

use the access by any of these transport modes would be quite low. Given the very short stretch of access road within the site, I expect vehicles speeds along it would be slow. Therefore, I do not find that within the site itself the development would result in conditions prejudicial to highway safety.

34. The Council has set out that, in order to comply with the parking standards of its development plan, the proposal is required to provide a total of 13 vehicular parking spaces. Discounting the integral garages, the depth of which are impeded by the accommodation of plant, 12 parking spaces are shown giving a shortfall of a single space. However, I note that the driveway serving the plot 4 dwelling is particularly spacious. Whilst the plans depict 2 vehicles parked on it, it seems to me that the driveway's significant dimensions would permit for at least a further vehicle to park on it and, the development's layout would allow for these vehicles to safely manoeuvre. I conclude that the cited 13 space parking requirement would be achievable and, had I been minded to allow the appeal, could be ensured through the imposition of a condition.
35. Although the council have set out that, as designed, the visitor parking spaces would fail to allow for sufficient reversing space, they also state that this could be remedied through the submission of an amended plan. I have no reason to disagree. Therefore, any deficiencies in parking provision in these regards could also be acceptably resolved through the imposition of a condition. Similarly, a condition could also be imposed so that a pathway would be provided to the refuse collection point. This would acceptably resolve any inconvenience that would otherwise result from bins being dragged across grassland.
36. Overall, although I have identified that some highways related matters are acceptable, and could be resolved via the imposition of conditions, I have also identified that the proposal would fail to provide an access and highway user conditions which would be safe and appropriate. As a result, the proposal would conflict with Policy TRA 2 of the LP which requires development to provide effective and safe accesses and egresses, and to facilitate the safe use of the highway network. The proposal would also conflict with those policies of the Framework which require safe and suitable access to be achieved for all users and which seek to create places which are safe and minimise the conflict between different highway users.

Other Matters

37. The proposed development would re-use previously developed land, make a contribution to housing supply and provide a choice of new homes in the area. As a minor residential development, it is likely that the houses would be delivered quite quickly too. However, in providing 4 dwellings, the contribution to supply would be modest, and I have set out in my main issues that the provision of housing at the site would conflict with the development plan's spatial strategy. The benefit derived from the boost to housing supply in this case would be limited.
38. The proposal would provide for some biodiversity enhancements, this would be a benefit. I also note that the proposed development would incorporate renewable energy and energy efficiency measures. However, altogether, the

proposal's benefits, and those facets of the scheme of more merit, would be insufficient to outweigh the harm I have identified in the main issues.

39. The Council's third reason for refusal related to the concern that, in the absence of mitigation, the proposal's contribution towards an increase in recreational activity on Northumberland's coast could adversely affect the integrity of Habitats Sites and other designated ecology sites. If I were minded to allow the appeal, I would need to be satisfied that the proposal would have no adverse effects on the integrity of these sites. Given I am dismissing the appeal, there is no requirement for me to undertake this assessment. Even if I were to conclude that no such adverse effects would be caused by the proposal in these regards it would be a neutral factor in this appeal.
40. Finally, the Council's reasons for refusal also cite Policy STP 2 of the LP. This policy reflects the presumption in favour of sustainable development contained at paragraph 11 of the Framework. However, in this case, I have identified conflict with relevant development plan policies, and I find that the proposal conflicts with the development plan as a whole. I have no reason to conclude that policies which are most important for determining the application are out of date. Consequently, the proposal does not benefit from the presumption in favour of sustainable development, and Policy STP 2 is largely irrelevant in this case.

Conclusion

41. The proposal conflicts with the development plan as a whole and the material considerations in this case, including the Framework, do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

H Jones

INSPECTOR