



Appeal Decision

Site visit made on 22 July 2025

by **F Harrison BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6 August 2025

Appeal Ref: APP/P2935/W/25/3364709

Land South East of West Mains House, Beal, Berwick upon Tweed TD15 2PD

- 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 Mr Shaun Dixon of Miss Shelley Watts Ltd against the decision of Northumberland County Council.
 - The application Ref is 23/04056/FUL.
 - The development proposed is 15 unit glamping park, comprising of 11no. woodside cabins and 4no. shepherds' huts.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposal on highway safety, with particular regard to pedestrians, cyclists and drivers using Ocean Drive.
 - the effect of the proposal on water quality; and
 - whether surface water drainage has been sufficiently assessed and would be appropriately mitigated and managed.

Reasons

Highway safety

3. The proposal would be accessed from Ocean Drive, a relatively narrow unlit private access road with no footpaths that currently serves two dwellings and a café/hostel. The appellant contends that it is a 5 miles per hour road, however I did not observe any signage to this effect.
4. There would be no additional movements arising from staffing, over and above the current situation associated with the adjacent café/hostel, and it is indicated that many visitors would arrive at the site by cycle. Nevertheless, and despite being described as small scale, the proposal would intensify the use of Ocean Drive. In coming to this conclusion, I have taken account of the anticipated high turnover of visitors as the appellant envisages that the duration of visitors stays will be mostly short stay, which may result in increased movements from all users at certain times including check in and check out.

5. Regardless of whether Ocean Drive was previously designed for future development, given the width of the road and the absence of footpaths and lighting it is already sensitive to distraction or confusion where all users need to take more care. In combination with the characteristics of the road and its use by pedestrians, cyclists and vehicles the additional movements generated by the proposal would unacceptably create conflict between road users. Given this conflict, it would not be a particularly attractive route to take for pedestrians and cyclists and it has not been shown that the proposal would promote sustainable transport choices or address the needs of people with disabilities and reduced mobility in relation to all modes of transport as required by Policy TRA1 of the Northumberland Local Plan 2016 – 2036 (2022) (NLP).
6. There is also not a clear and convenient passing place along Ocean Drive, particularly for larger delivery and servicing vehicles that may be using the road in association with the café/hostel. As such, there could be a scenario where vehicles would be waiting on Highway C16 for any exiting traffic before safely turning into Ocean Drive. This would be hazardous for traffic on Highway C16 and create uncertainty for pedestrians and cyclists on the dedicated cycle/footpath adjacent to it as they cross the junction with Ocean Drive.
7. The proposal would therefore have an unacceptable effect on highway safety and would not meet the provisions of Paragraph 116 of the National Planning Policy Framework (the Framework). I note that there is also an objection from the Council's highways team on this basis. While it is suggested that traffic calming measures and speed limit signage would be introduced there are no firm details, and it would not be appropriate to comment on a scheme I have not seen.
8. Even though Ocean Drive is currently used by different modes of transport, there are said to have been no incidents and the swept path analysis shows that there is sufficient space for large vehicles to manoeuvre, this does not indicate that the effects of the proposal would be inherently safe. Nor would the provision of sufficient car parking with adequate reversing space and cycle parking alter my findings on this main issue.
9. To conclude, the proposal would be unduly harmful to highway safety, with particular regard to pedestrians, cyclists and drivers using Ocean Drive. It would be in conflict with NLP Policies TRA1 and TRA2 insofar as they require development to promote sustainable connections, minimise conflict between different modes of transport and facilitate the safe use of the network.

Water quality

10. Foul drainage at the site would be served by a wastewater treatment plant. It is not disputed that the use of non-main's drainage at the appeal site is the only solution and as a separate matter, the Council's ecologist was satisfied that subject to mitigation the proposal could meet the requirement for nutrient neutrality. While the Environment Agency (EA) raised an objection on the basis of inadequate information being provided in relation to risks to water quality from the proposal they provided advice on how to overcome their objection, which it appears the appellant sought to address through the provision of the required information in an email to the Council dated 5 September 2024.
11. No further response from the EA is available to confirm whether this information would overcome their objection. However, a condition could be imposed to secure

full details of the means of foul water disposal. The capacity requirements and operation of a wastewater treatment plant would be subject to other regulatory regimes, allowing the EA to monitor and enforce any effluent quality in the future. Furthermore, there would be an opportunity to ensure that the submitted details would maintain nutrient neutrality. The proposal would therefore meet the requirements of Framework paragraph 187 insofar as it requires that new development does not contribute to unacceptable levels of water pollution.

12. Consequently, I conclude that the proposal would not harm water quality and would accord with NLP Policies QOP1 and WAT2. These policies include a requirement that new development respects the natural environment, does not adversely affect water quality, and that careful consideration is given to the precise siting and design of non-mains drainage systems to ensure there is no adverse impact on water quality.
13. The decision notice also refers to NLP Policy QOP2. As this policy is primarily concerned with amenity for existing and future users and does not refer to water pollution it has not been determinative.

Surface water drainage

14. It is not disputed that the appeal site falls within Flood Zone 1 and is at a low risk of flooding. The appellant describes the appeal scheme as a soft touch, eco-friendly development that will retain the natural environment of the site and indicates there would be no impermeable areas. However, while the shepherd's huts are shown to be raised above ground level on the layout and elevations woodside cabin and shepherds hut plan (drawing A105), the woodside lodges would not be. There is no information regarding the type of foundation that would be used. Despite being relatively small in size the lodges would reasonably require some form of foundation to provide a stable base for the structures so that they would be level to avoid safety hazards for guests. Consequently, the proposal would introduce impermeable surfaces where currently there are none. Furthermore, consistent with the concerns of the Lead Local Flood Authority, even if permeable consolidated hardcore is proposed for the access track and car parking areas, this does not mean that cumulatively with the impermeable areas of the lodges the proposal would have no effect on the infiltration of surface water discharging to the ground.
15. While a drainage strategy has been submitted, there is limited detailed assessment of drainage at the site and no surface water management proposed. Irrespective of the appeal site size, Framework paragraph 182 is clear that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, which are proportionate to the nature and scale of the proposal. Even if the site is free draining, the proposal would introduce impermeable surfaces which could affect drainage. There is no substantive evidence that if required, sustainable drainage measures couldn't be sensitively incorporated at the site, despite its rural location.
16. There is insufficient information to determine what level of surface water build up or run off would be created by the proposal's impermeable areas or if surface water management is necessary. As such, I am unable to establish that the proposal would not increase flood risk at the site or elsewhere, as required by Framework Paragraph 181.

17. To conclude, surface water drainage has not been sufficiently assessed, and it is not possible to ascertain whether it would be appropriately mitigated and managed. The proposal would therefore be in conflict with NLP Policies WAT3 and WAT4 which amongst other things, require proposals to demonstrate how they will minimise flood risk to people and property from all potential sources, including by ensuring that surface water run-off is minimised and controlled using sustainable drainage systems as necessary.

Other Matters

18. The Northumberland coast is of national and international importance for its wildlife. The appeal site lies within the zone of influence for the Lindisfarne Special Protection Area (SPA) and Ramsar, afforded protection under the Conservation of Habitats and Species Regulations 2017 (the Regulations). The Regulations require that permission may only be granted after having ascertained that the development would not affect the integrity of a designated habitat. Notwithstanding the appellants' agreement to make a financial contribution to mitigate the effects of the proposal on the SPA, as the scheme is unacceptable for other reasons, it is not necessary for me to consider the implications of the proposal upon the protected site.
19. I note the points raised about land ownership from third parties and the clarification provided in the appellant's submissions. However, dispute about land ownership is a civil matter to be resolved between the relevant parties and does not alter the planning merits of the proposal. Similarly, the Planning Practice Guidance is clear that pre application advice is not binding and does not pre-empt a particular outcome¹, and while the appellant has expressed frustrations with the Council's handling of the case, this does not lead me away from my consideration of the planning merits of the case.

Conclusion

20. While I have not found the proposal would harm water quality, my above findings in relation to highway safety and surface water drainage bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR

¹ Paragraph: 011 Reference ID: 20-011-20140306