



Appeal Decision

Site visit made on 23 December 2025

by **P Hanna PGDip MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 29 January 2026

Appeal Ref: APP/P2935/W/25/3372868

Locksley Cottage, East Wallhouses, Northumberland NE18 0LL

- 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 Talvir Singh against the decision of Northumberland County Council.
 - The application Ref is 25/01393/FUL.
 - The development proposed is erection of 1no granny annex.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The Secretary of State has directed, by the powers conferred by Regulations 14(1) and 7(5) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, that the proposed development is not Environmental Impact Assessment development.

Main issues

3. Following submission of additional information, the Council is no longer defending the third reason for refusal, relating to contamination, subject to conditions. On that basis, the main issues are:
 - whether the proposal is in a suitable location with regard to policies for residential development;
 - the effect of the proposed development on the character and appearance of the site and surrounding area;
 - the effect of the proposal on the archaeological remains of the Hadrian's Wall World Heritage Site; and
 - the effect of the proposal on biodiversity.

Reasons

Location

4. The appeal site is in the south west corner of a wider area of agricultural or paddock land, associated with the host dwelling at Locksley Cottage. The appellant asserts that the existing use of the site is "*garden/curtilage*" and a children's play frame is located on the site. However, there is no history of permission for a change of use and no certificate of lawful use has been brought to my attention. Physically, the field of which the appeal site forms an integral part is not part of the area of land, or garden, in which the existing house sits, notwithstanding the appellant's ownership of the land. The field does not have an

intimate relationship with the house nor does it comprise land which forms part and parcel with the existing house. In my judgement, the field does not form part of the curtilage of the appeal property.

5. The spatial strategy of the Northumberland Local Plan (2022)(LP) seeks to steer the location of development, including by restricting development in the open countryside. East Wallhouses is identified as being within the open countryside and, as the wider field is not residential curtilage, it follows that the appeal site is within the open countryside.
6. Policy STP 1 indicates that residential development will only be supported where it accords with policies HOU 7 or HOU 8, amongst other things. These policies relate to exception sites and isolated residential development in the open countryside. These policies are not directly relevant to the appeal proposal for an annex. HOU 9 relates to householder development but does not provide for development of annexes outside of the curtilage of the host property. As none of these policies allow for the creation of new annexes in the countryside, the location of new residential development within open countryside causes conflict with the spatial strategy.
7. It is noted that planning permission 22/01292/FUL was previously granted elsewhere by the Council for a small increase in garden space and erection of an annex. However, that proposal was deemed in policy terms to be a “*reasonable request*” that raised no other material concerns, which is not the case in the current appeal. This distinguishes that permission from the current appeal which, in any case, I am required to determine on its merits.
8. On that basis, the proposal for a residential annex would not be in a suitable location with regard to policies for residential development due to the conflict caused with policy STP 1 of the LP.

Character and appearance

9. The appeal site is located adjacent to the northern boundary of the garden of the host dwelling. An agricultural barn to the west is screened by a mature tree belt. There are open boundaries to the east and north. The site is laid to grass and is largely indistinguishable from the wider agricultural field or paddock, such that the site has the characteristics of open countryside.
10. In terms of siting, even though the proposed annex would be close to adjacent properties, the development pattern for the locality is based principally upon a line of traditional stone buildings along the road frontage, even though there are various other structures and uses to the rear. In sharp contrast, the agricultural building adjacent to the site is set further back, but has a less solid appearance, being a timber clad agricultural building, such that its location does not in itself justify development at the appeal site. The siting of the proposed random rubble stone annex to the rear of the existing traditional building line would disrupt the existing broadly linear pattern of development, notwithstanding that it would not be highly visible from the road or extend beyond the rear of the agricultural barn. Whilst the garage of Old Repeater House is to its rear, it does not extend as far north as the appeal site, nor does it intrude upon the existing open countryside.
11. The barn adjacent to the appeal site previously received a grant of prior approval to convert into residential use, which the appellant argues changes the

development pattern of the locality. However, that approval has now expired, such that there is currently no realistic prospect of that development occurring and it attracts only very limited weight.

12. With just one reception room and two bedrooms, the annex accommodation would be of relatively modest size and, externally, the eaves of the proposed annex would be lower than the host property. However, in the absence of comparative elevations, my judgement is that the proposed ridge height would not be substantially lower than the existing. The footprint of the annex would only be marginally smaller than that of Locksley Cottage, notwithstanding a greater difference in floor area. The footprint of the annexe would also be wider than the narrow plan form of the traditional barn, resulting in relatively bulky massing. Taken together, the proposed annex would not be seen as sufficiently subservient to the existing property, even though the proposed materials would be in keeping with existing buildings.
13. Although policy ENV 3, relating to landscape, is referred to in the reason for refusal, the siting and small scale of the proposal are such that there is no significant adverse impact upon the landscape character of the settlement edge. Policy QOP 4, in respect of landscaping and trees, is also not breached as appropriate landscaping of the site could be satisfactorily achieved by planning conditions.
14. Overall, the proposed annex would have a significant adverse impact on the character and appearance of the site and surrounding area, contrary to policies HOU 9 and QOP 1 of the LP, and chapter 12 of the Framework. Together, these policies require development to not have an unacceptable impact on the style and character of the existing dwelling and the surrounding area and landscape.

Archaeology

15. The appeal site lies to the immediate north of the Hadrian's Wall scheduled monument and World Heritage Site, and the line of a Roman ditch and potential counterscarp bank crosses part of the site. This designated heritage asset's archaeological, historic and cultural significance derives from being the main element in a controlled military zone across northern Britain following its construction around 122AD on the orders of Emperor Hadrian. The wall itself was supplemented by the ditch and banks, supporting forts, camps, and other features. Hadrian's Wall is of international importance and outstanding universal value.
16. The proposal would result in below ground works including for foundations, drainage and services. Whilst a drainage plan has been submitted, I have not been provided with the detail and extents of the archaeological constraints and, consequently, no assessment of the existence or level of any harm can be concluded. A precautionary approach is therefore required. In the absence of detailed archaeological constraints, the proposal would risk significant disturbance of, and direct harm to, the historic fabric and, as a consequence, the archaeological, historic and cultural significance of the heritage asset.
17. Paragraph 212 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through the alteration or destruction of those assets and that this should have a clear and convincing justification. Given the

above, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal. Whilst the proposal would deliver multi-generational living, with associated sustainability benefits, the public benefits arising from this are very limited. No other public benefits are suggested.

18. Even if the subsequently provided drainage plans for the site were sufficient to resolve this concern, the lack of harm to archaeology would not in itself outweigh the other harms I have found. Given the above, I conclude that the proposal would fail to preserve the special historic interest of the Hadrian's Wall scheduled monument and World Heritage Site. This would fail to satisfy the requirements of the Act, paragraph 210 of the Framework and conflict with policies ENV 7 and ENV 8 of the LP. These seek, among other things, to ensure the conservation and enhancement of the significance, quality and integrity of heritage assets. As a result, the proposal would not be in accordance with the development plan.

Biodiversity

19. The appellant asserts that the proposal is exempt from biodiversity net gain requirements as the proposal is a self-build and custom build development. The definition of such development as set out in the Self-build and Custom Housebuilding Act 2015 is a house to be occupied as a home by those individuals involved in the building or completion of the said house. Notwithstanding whom may be involved in construction, this proposal is for an annex, not a house. Furthermore, I have not been provided with a s106 planning obligation to ensure the development is self or custom build housing. Therefore, the exemption does not apply, and the biodiversity gain objective of securing at least 10% net gain cannot be ensured. Accordingly, the proposal would conflict with the requirements of policy ENV 2 of the LP and chapter 15 of the Framework, which together require that measurable net gains be secured.

Other matters

20. The use of an occupancy condition to ensure that use would only be for the applicant and his family would not outweigh the harms I have found, nor would the lack of harm to the living conditions of occupants of nearby dwellings.

Conclusion

21. For the reasons given above the appeal should be dismissed.

P Hanna

INSPECTOR