



Appeal Decision

Site visit made on 13 January 2026

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 February 2026

Appeal Ref: APP/P2935/W/25/3375676

The Allendale Inn, Market Place, Allendale, Northumberland NE47 9BJ

- 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 C Shield against the decision of Northumberland County Council.
 - The application Ref is 25/01023/FUL.
 - The development proposed is introduction of three dwellings within the existing Allendale Inn and associated rear barns with a reduction in width of the main building by 1.0m and barn by 0.5m to facilitate the improvement of the access road.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues of the appeal are:
 - The effect of the proposed development on the character and appearance of the site and surrounding area, including whether it would preserve or enhance the character or appearance of the Allendale Conservation Area (CA) and preserve the setting of the nearby grade II listed buildings; and
 - Whether the proposed development would meet the three derogation tests contained within the species protection provisions of the habitat's directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended).

Reasons

Character and appearance

3. The appeal site relates to the Allendale Inn; a former Public House located within the service centre of Allendale in a prominent location within the marketplace. It is a three-storey property which has its principal northeast facing elevation facing directly into the marketplace with two barns to the rear within the yard. Its gable end borders the side lane to the southeast which comprises an existing narrow lane which provides for access to the rear.
4. The site lies within the CA and the North Pennines Area of Outstanding Natural Beauty (AONB). There are also several grade II listed buildings in the immediate vicinity of the appeal site. The Inn and its associated barns can be noted as non-designated heritage assets due to their age (likely to be of 18th or 19th century date), architectural features and its historical associations with Allendale town which will be discussed further in my decision.

5. I have a duty under Sections S66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. It requires special regard to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. I have also had regard to paragraph 212 of the National Planning Policy Framework (the Framework) which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 of the Framework explains that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
6. Paragraph 216 of the Framework explains that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
7. The CA is noted for its special architectural and historic interest. Allendale town is a historic settlement centered on a large marketplace on a plateau above the east bank of the River East Allen. It was first recorded in the 13th century and thrived during the 18th and 19th centuries during which it developed in association with the lead industry, with inns, taverns, and smithies located around the central marketplace, and with churches, banks and shops established in close proximity. Allendale's unique character derives essentially from the way in which an interesting collection of late 18th and 19th century buildings cluster round the four sides of the marketplace. The Allendale Inn is a widely experienced feature of the CA, with views extending from The Kings Head and marketplace looking south, and from the intersection of Lonkley Terrace and the B6303 looking south.
8. Despite changes over the years, the appeal site still contributes positively to the evidential architectural, historical, and communal value of Allendale town. It aids in illustrating the development of Allendale as a market town serving the lead mining communities which prospered in the 18th and 19th century. The existing narrow lane to the southeast of the property also forms a historic feature within the CA and I found this to be of positive interest at my site visit. The lane leads from the historic marketplace, and holds historic value which contributes to the historic character of the buildings and spaces between them within the CA.
9. The proposed development seeks planning permission for the introduction of 3 no. dwellings within the existing Allendale Inn and associated rear barns via the change of use of the Allendale Inn to 2 no. dwellinghouses, and the conversion and extension of 2 no. barns to form 1 no. dwellinghouse. In facilitating the works, the proposed development would reduce the width of the eastern section of the Allendale Inn building by 1.0 metres and of the eastern barn by 0.5 metres. This would widen the lane to the southeast to enable improved vehicle access to the rear of the Inn for parking. Following demolition of the eastern most sections of the Inn and barn, it is the appellant's intentions to rebuild these walls further west with the original materials. The Chimney stack would also be rebuilt in reclaimed and matching brick.

10. The reduction in width of the barn by 0.5 metres and the Allendale Inn building by 1.0 metres would permanently alter the architectural importance/character, historic plan form/proportions and siting of these traditional buildings which are non-designated heritage assets, and which make an important contribution to the character and appearance of the CA. There would still be an access lane to the southeast, but this would be widened which would result in the loss of the historic feature of the narrow lane and its associated interest. This would be detrimental to the CA as it would indeed appear much different to that of the existing despite the appellant's claims of a minimal difference. It would significantly alter the character of this part of the CA. I appreciate the reasoning behind such works in terms of widening the access lane to enable improved vehicle access to the rear. However, this reason is not considered to be clear and convincing justification as per the requirements of paragraph 213 of the Framework.
11. Views to the rear are more limited but I cannot agree that the nature of the changes would be minimally perceptible as there would be a clear difference when viewed from nearby public vantage points. This would also not justify harmful development. I am aware of the consultee comments from the Council's Archaeologist which raise no objection. However, their assessment was indeed from an archaeology perspective even if they did provide some heritage-based comments. Their response clearly sets out that they did not assess the design or the impact of the proposals on the setting of the listed buildings in the wider area or the CA as this was outside their archaeology remit. Such would not therefore alter my findings.
12. For the reasons given above, the proposed development would unacceptably harm the character and appearance of the site and surrounding area. It would fail to preserve the character or appearance of the CA. It would also fail to preserve the setting of the nearby listed buildings. Such buildings are experienced in the same context, and the proposals would ultimately undermine how they are understood and appreciated. Given my findings on this, it is considered that the proposed development would not conserve or enhance the special qualities of the North Pennines AONB.
13. The above works would result in less than substantial harm to the significance of the heritage assets. The PPG¹ identifies that within each category of harm, the extent of the harm may vary and should be clearly articulated. With this in mind, the nature of the works would result in the extent of harm being at the higher end of the spectrum within that category.
14. My attention has been drawn to case law² relating to a non-designated heritage asset within the CA where a replacement dwelling was considered acceptable. However, such a scheme is different to the appeal I am considering both in terms of location/context and the proposed development. I do not find that scheme to be directly comparable and I have assessed this appeal based on its own merits.
15. Paragraph 215 of the Framework explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

¹ Paragraph: 018 Reference ID: 18a-018-20190723

² Dorothy Bohm v SSCLG [2017] EWHC 3217

16. I am aware of the condition of the existing access lane and appreciate that the demolition works would widen the access lane to enable unobstructed vehicle access to the rear. This would include for emergency vehicles, parking, pedestrian access etc which would provide some positive benefit. Given the small-scale number of properties it would serve, the amount of weight I attribute to this is moderate. The appellant claims that the addition of numerous cars to the marketplace would be more harmful to the CA and would create visual clutter within key views. However, I am not sufficiently persuaded that the reduction in the number of cars in the marketplace by one would be a clear benefit as it would have a negligible effect. Further, I am also mindful that the former Inn would have a higher parking demand locally. There is no evidence that other properties to the rear would alter their existing parking arrangements and I therefore give limited weight to such matters.
17. The removal of the porch addition to the front of the building and reinstatement of the original fenestration pattern would better reflect the CA and would allow the fenestration to be visible which is welcomed. Given the scale and extent of the works, I attract a moderate amount of weight to this. However, I do not find this or any other design related matters to hold sufficient weight to justify the harm that would be caused to the historic character and proportions of the buildings and spaces and thus would not weigh in favour of the scheme. I also find that such improvements could be achieved by alternative means which would be less harmful.
18. There would be some economic, social and environmental benefits associated with the scheme including the re-use of a vacant building, provision of housing etc and I am aware of the location of the site to services and facilities. The extent to which this would be beneficial is however reduced by the small-scale nature of the proposals and I am not convinced that the re-use the building cannot come forward in a less harmful way. Such matters would attract a moderate amount of weight. I note the energy efficiency measures but the extent to which this would be beneficial is again limited by the small-scale nature of the proposals. I attract limited weight to this.
19. Taking the stated benefits of the proposal together, there would be a high level of less than substantial harm to the significance of the CA and nearby listed buildings. I am not persuaded that there would be public benefits of sufficient magnitude to outweigh the great weight to the assets' conservation as required by the Framework and the considerable importance and weight to this harm.
20. The proposed development would therefore be contrary to Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It would also be contrary to Policies ENV 1, ENV 6, ENV 7, and ENV 9 of the Northumberland Local Plan 2016-2036, 2022 (NLP) which together, amongst other matters, explains that the character and/or significance of Northumberland's distinctive and valued natural, historic and built environments, will be conserved, protected and enhanced.
21. The Council has referred to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within their reasoning for refusal. As this relates to listed building consent, I do not find it relevant to the appeal I am considering, and I have therefore omitted reference to this.

22. The proposed development would not conserve the heritage assets in a manner appropriate to its significance, or positively contribute to local character or distinctiveness in line with the aims of Chapter 16 of the Framework relating to conserving and enhancing the historic environment.

Derogation tests

23. A Bat Survey report submitted with the application and appeal recorded 6 occasional day roost locations of individual pipistrelle bats. A maximum count of 3 bats was recorded on each survey. A Natural England mitigation licence is therefore required to be in place before works proceed on the outbuildings where the roosts are located as the proposed development would result in the disturbance/destruction of bat roosts.
24. The species protection provisions of the Habitats Directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended), contains three "derogation tests" which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would harm a European Protected Species (EPS). Notwithstanding the licensing regime, I must also consider the three tests when deciding whether to grant planning permission for a development which could harm an EPS. The derogation tests are as follows: 1. that the action is for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature; 2. that there is no satisfactory alternative; and 3. that the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range. The first test is considered satisfied if the proposal meets an identified development need and is supported by the NLP. However, if the development is found to be contrary to the NLP and unacceptable in principle, or there are other planning reasons to refuse the application, then the first test is not met.
25. As set out above, the proposed development is contrary to Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It would also be contrary to Policies ENV 1, ENV 6, ENV 7, and ENV 9 of the NLP. The first test is not therefore met. As the first test is not met, I do not find it necessary to consider the other elements of the derogation tests as the scheme already fails in this regard.
26. For the above reasons, I conclude that the proposed development would not meet the three derogation tests contained within the species protection provisions of the habitat's directive, as implemented by the Conservation of Habitats and Species Regulations 2017 (as amended). It would therefore be contrary to the regulations as well as Policy ENV 2 of the NLP which relates to biodiversity and geodiversity.

Other Matters

27. I am aware of support shown for the scheme, but this does not mean that the development would not be harmful and thus it would not alter my findings in relation to the above main issues. The matters not in dispute would not weigh in favour of the scheme but rather be a neutral consideration in my overall decision.

Conclusion

28. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination including the provisions of the Framework, that would outweigh the identified harm and associated plan conflict. I conclude that the appeal is therefore dismissed.

N Teasdale

INSPECTOR