



CORE DOCUMENT K.5

Planning appeal Ref: APP/P2935/W/20/3244389

Cold Law, Stiddlehill Common, near Ridsdale, Ray Estate, Northumberland

Construction of a publicly accessible landmark commissioned to commemorate Queen
Elizabeth II and the Commonwealth

**Proof of Anne Palmer LLB; LLM; Retired Solicitor
on behalf of 'Keep the Wannies Wild' (KTWW)**

February 2021

1. I hold the degrees of Bachelor of Law (Newcastle University) and Master of Law (Mental Health) from the University of Northumbria. I am a retired solicitor with 31 years of experience in practice, 20 years for Newcastle City Council. Latterly I was Legal Manager for the Care Quality Commission, managing a team of solicitors, barristers and legal executives around the country. I am a founder member of the KTWW group, a director of the Haltwhistle Walking Festival and Secretary of the Kirkwhelpington Show. I have lived in Kirkwhelpington for 26 years. My proof will cover the following topics:

- KTWW group and the Council's decision
- Letters of objection and support
- Appellant's Statement of Community Engagement
- My personal opinion about the impact on landscape character and appearance
- Impact on the local tourism offer

My proof illustrates important points by referring to representations submitted both as objections and in support, which are on the NCC portal and have previously been provided to the Inspector. These are in appendices A-M of this proof. Appendices with numbers are from the KTWW Statement of Case (CD K.2).

KTWW group and the Council's decision

2. KTWW was formed in June 2019 and now represents almost 2000 members. Most local residents were completely unaware of the appeal proposal until informed by word of mouth, partly because the location was given as Kirkwhelpington. By the 2nd July committee meeting, though, awareness was growing - objection letters increased from 29 to 128 and support for the group had risen rapidly.
3. Despite a strong interest in local affairs, and living only yards from Kirkwhelpington Memorial Hall, I was unaware of the exhibition about the landmark competition said to have taken place there in May 2018. I spoke at the NCC committee meeting on 4th June 2019 and was pleased that councillors took the objections I voiced seriously enough to defer their decision. I did not attend the adjourned meeting but have read the contemporaneous notes in Appendix I; I consider the councillors' final decision to be well-informed - based on a site visit, oral presentations and relevant questions to the planning officer. They did not behave unreasonably in refusing permission, given that they had much more information than previously. They took only relevant

considerations into account and appear to me to have acted conscientiously, in the interests of their voters.

Letters of Objection and Support

4. Objectors have written on three separate occasions, the numbers vary between different documents and those in our statement of case CD K.2 need to be clarified. I have now verified the objectors' representations at 128 to NCC up to the 2nd July 2019 committee (including, not additional to, the 29 reported to the 4th June committee) and 146 to PINS for the appeal. Those for the second application were counted from the NCC portal as 141 but it has not been possible to check that since they were removed when the application was withdrawn in September 2020.
5. These result in a total of over 400 individually written, thoughtful letters explaining why the proposal is not acceptable. They offer many reasons for objection, but the main thrust, given the high value they all place on the Wannies, is their abhorrence at the harmful impact on landscape character and appearance. The strength of their opinion and passion is clear and has been eloquently voiced despite a number of difficulties: some local people are reluctant to speak out as they are tenants and/or employees of Lord Devonport's Ray Estate; the two separate applications and this appeal have meant that we have been required to express our views on three separate occasions, a challenging process, as described in some of the earlier letters.
6. Five Parish Councils have repeated their objections, despite the appellant asking them to reconsider. Their views are highly relevant, as the development would be widely visible from outside Corsenside Parish, the only statutory consultee. People living in Kirkwhelpington, Otterburn and Rochester, for example, pass through the Wannies en route to larger towns and local facilities, and could not avoid seeing it. The Parish Councils therefore speak for a large number of people living in the hinterland of Cold Law whose lives would be affected, and their objections must be given significant weight. Added to all of this, the Hexham Courant poll showed opinion 86% against the proposal.
7. Other significant objectors include the Redesdale Society, which is interested in the history of the area; the British Mountaineering Council, which represents climbers nationally; local councillors, and Guy Opperman MP who describes the proposal as *imposed and unwanted*. (App. M and minuted in CD C.5). Individual objections from relatives of Sir Charles Parsons, a former owner of the Ray Estate, professional climber Robbie Phillips and Sir Simon Jenkins are included in CD K.2 Appendices 7, 9

and 14 respectively. The very strong views of the three relatives of Sir Charles Parsons should be particularly noted.

8. In stark contrast, no spontaneous letters of support were received in response to the Council's consultation at the time of either application, only one online indication of support giving no reasons. Not until appeal stage did the agent submit a bundle of 46 support letters (total now 47 with Mrs Ball's later letter to PINS). Copies of these same letters were submitted by the agent for the second application, even though they were written before it was made. No supporter was sufficiently interested to write a second letter, even though the second application included five new reports on which they may have been expected to comment. (CD D.1-5)
9. Looking at those letters - few of the authors live in the local area or have any connection to it. They are almost all very obviously copy-and-paste standard letters which repeat material about the symbolism of the design. Many repeat the outrageous and insulting claim that the councillors who refused permission did not understand the proposal as well as the enthusiastic primary schoolchildren who visited the local exhibitions. Some have general views about the benefits of public art that take no account of the particular context of Cold Law.
10. Some of the supporters merit particular mention. Michael Orde (App. B) is Lord Devonport's land agent, Chris Slack (App. C) is employed by him to manage the fishing lake at Sweethope and Mr Robson (App. D) is his tenant at Sweethope Farm. Malcom Atkinson-Evans (App. E) is his personal assistant and estate secretary. His letter is garbled, incoherent and cannot be taken seriously. It is insulting and dismissive of our group, claiming a 'silent majority' in favour of the proposal that does not exist; nor is it true that KTWW seek something more like the Angel of the North. William Browne-Swinburne (App. F) states that he writes in his capacity as Chair of Capheaton Parish Council. However, the Parish Council did not discuss the proposal prior to his letter and I have requested that he retract his statement, which he has acknowledged to me, is misleading. He says that the area is one of Northumberland's "least valued" places – an assertion refuted by the artistic and cultural references included in our "Miscellany" (Appendix 2 of CD K.2). Peers Viscount Ridley (App. G) and Lord Curry of Kirkharle, (App. H) who apparently writes in his official capacity as a member of the House of Lords, nevertheless find no words to express their supposedly exulted view other than the identical cut-and-paste version sent in by their fellow "supporters". The Inspector is asked to place very little weight on these.

Statement of Community Engagement

11. The appellant's *Statement of Community Engagement* (CD D.4) intends to show exemplary public consultation. It describes the exhibitions carried out in the summer of 2018, but this exercise was purely to judge the three artists' design concepts rather than the principle of putting a monument of that height and design on Cold Law. The low level of interest shows that the local community was not engaged in any meaningful way.
12. The section 'phone calls, emails and face-to-face contact' refers to a 'Research Campaign' (4.6.1) which seems to be the same as the 'Questionnaire' (5.4); it is a very woolly couple of paragraphs. This is not a reliable piece of research as its methodology for selection of subjects and its data sources are unclear.
13. The questions were hypothetical and phrased in a way that made the project sound attractive. For example, Question 6 makes it sound as though Cold Law has a windfarm on it which is not true. Question 7 talks about 'other public sculptures like this' but the appellant's tourism reports (CD D.3 & D.5) say there is nothing comparable. Question 8 talks about artistic and community projects and that it will 'bring together communities from across the region' but it has demonstrably caused anguish and resentment in the local community. It has brought us together only in our determination to object. Question 9 obtained positive results from putting the case that no public money would be spent but method of funding is not a planning matter. Despite the "loaded" questions, the approval rate from the 251 respondents was overall, only 52%.
14. Most of them lived many miles from the site, few would even know where it was. Context is all-important and these results are worthless in terms of the issues in this appeal.

My personal opinion about the impact on landscape character and appearance.

15. This proposed monument can only ruin the landscape that I moved here to enjoy. The many of us who live in and truly appreciate this landscape think it needs no enhancement or embellishment. We understand it, we "get" it. Models and pointers, paths and interpretation boards cannot intensify our feelings about the place. On the contrary, 'Ascendant' would take away the remoteness and the magic, turning the Wilds of Wanney into the Well Worn Walkways of Wanney. I do not accept the many different justifications the appellant has heaped on to his proposal. In my view, the spot has no significance for Queen or Commonwealth, its location to the north of all

Commonwealth capitals (except Edinburgh) is co-incidental. The connection with previous local industrialists is tenuous, and their glorification through these means uncalled for and unwanted, certainly from Charles Parsons' relations. They are in my view, therefore, utterly spurious.

Impact on the local tourism offer

16. The open, wild and tranquil character of the Wannies is of great importance to local people and visitors who find it a benefit to their mental and physical health. Many objectors testify to this. Organised walks are regularly held, and as a Director of the Haltwhistle Walking Festival I wrote in the Miscellany (Appendix 2 of CD K.2):

It is surprising how many people think The Wannies is a place that exists only in myth and legend. For them, the idea of actually going there and walking around the area was an exciting prospect.

17. I can vouch from my personal experience that walking groups spend money on refreshments and accommodation locally. This trade would be lost if 'Ascendant' made the Wannies area less attractive to this type of tourism. Other objectors feel the same. For example, a letter received by NCC from Wendy Reed, who runs an art studio in Kirkwhelpington, says (App. I),

In my daily working life I come into contact with hundreds of tourists and visitors to the area and without exception they visit to take in and enjoy the stunning wild landscape it has to offer. It is the rugged, unspoiled views and scenery which attract so many to our beautiful county and I feel that this installation will spoil the very thing people come to enjoy.

My view of this precious environment is shared by other outdoors enthusiasts such as Arran Greenop, (App. J):

I have grown up in Northumberland and frequently visited the Wanneys to climb and walk. I have always been drawn to the area due to its wild, rugged landscape, it being one of Northumberlands quieter backwaters.

It is shared by artists: Carol Nunan, a Hexham based professional artist, says she draws inspiration from the Wannies (App. K):

My work is based on and inspired by the Northumberland landscape, its flowers and wild plants, its wildlife and birds including The Wild Wannies. I make frequent forays into this wild landscape to sketch and take photographs that

form the starting point of my work. It is my livelihood. As an artist I have no objections to the concept of public art - such schemes simply need to be the right piece in the right place with the support of the local community. The 'Ascendant' proposal cannot claim to be any of these things.

Walkers, climbers and artists are among the people who visit the Wannies because of its remoteness. They are telling you in their letters that they will come here no more, and so will not be supporting the local economy.

18. Sir Charles Parsons recognized the unique beauty of this landscape when he chose to live on the Ray Estate and enjoy quiet and solitary outdoor activities. Inserting the over-dominant and alien looking 'Ascendant' would draw the eye to it, permanently detracting from the valued characteristics of this landscape and reducing its contribution to health and well-being. Tim Bird (App. L) sums these sentiments up:

Why do some people think they can improve our recreational environment by building on it? I, and many other people, value Northumberland for its wilderness quality, something that is difficult to find in much of England and something that is known to be of benefit to health, both mental and physical, when experienced.

CONCLUSIONS

19. I speak for the almost 2000 members of the KTWW group, people passionate and motivated enough to join a group, to engage with its operation, and to endorse my appearance here to voice their fervent objections. Local people have been forced to spend their time and resources writing three lots of objection letters. That they have written the over 400 separate, personal and passionate objections you have read is testament to the strength of their opposition. I cannot read or summarise them all, but each and every one tells a genuinely held tale of love for the Wannies and a plea that it not be despoiled.
20. The views of the notable objectors I have drawn to your attention should be given particular weight, especially where they write on behalf of members and colleagues. The closest relatives of Sir Charles Parsons do not wish to see his name associated with a proposal he would have hated. The letters of support are by contrast, copy-and-paste efforts that at best, do not convince, and at worst, insult and misrepresent. Few of the writers would know the area, and fewer still have provided any original explanation for their views. Their letters should therefore be accorded little weight.

21. Northumberland's democratic institutions are against this proposal. Our local MP, Guy Opperman, has expressed his disapproval. Five Parish Councils actively object, while none are in favour. Parish Councils are the democratic expression of our rural opinion and represent the views and interests of people living in the large geographic area affected.
22. Northumberland County Council refused planning permission for this application but only after members had questioned the quality of evidence initially submitted, made a site visit and then carried out lengthy and pertinent discussions. Their decision was not unreasonable nor weakly based. It took into account relevant material not available at an earlier stage and was made conscientiously by our democratic representatives. The people have spoken clearly
23. The appellant's *Statement of Community Engagement* (CD D.4) is poorly explained, its methodology unclear, and its propositions "loaded". Its few participants seem to have no knowledge of the Wannies area, making their opinions worthless when balanced against the objections. Its "community engagement" has made no reference to any relevant representative group, local residents or business owners. It has ignored the Hexham Courant poll, demonstrating the appellant's perverse determination to fly in the face of public opinion. Mr Atkinson-Evans speaks confidently of a "silent majority" in favour of the appellant's plans, but as yet, the appellant has been unable either to locate them or give them voice.
24. In my opinion the development would be severely damaging to the landscape character and appearance because of its height, form and materials. It would be an alien intrusion into a sweeping, open landscape. Associated activity would harm the sense of remoteness which is such an important part of the area's character and, crucially, an attraction for visitors.
25. My experience, and the testimony of others, is that people who love the Wannies as they are will patronise local businesses, principally for accommodation and refreshments. Their trade would be lost if they no longer came here and any suggestion that it might be replaced by monument spotters is unevidenced and highly speculative. Nothing could be done to mitigate this impact. 'Ascendant' would be impossible to ignore and would be there in perpetuity, damage done.
26. This remote and sparsely populated area with little infrastructure is not the right location for this type of development. There is overwhelming evidence of objection and no support that is not tainted by the influence of the appellant.

APPENDICES

Full copies of representations sent to NCC or PINS and quoted in my proof

- A. Anne Palmer
- B. Michael Orde
- C. Chris Slack
- D. Mr Robson
- E. Malcolm Atkinson-Evans
- F. William Browne-Swinburne
- G. Viscount Ridley
- H. Lord Curry of Kirkharle
- I. Wendy Reed
- J. Arran Greenop
- K. Carol Nunan
- L. Tim Bird
- M. Letter dated 18th June 2019 from Guy Opperman MP to Anne Palmer