



Appeal Decision

Site visit made on 10 February 2009

by **Anthony Lyman** BSc(Hons) DipTP
MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
24 February 2009

Appeal Ref: APP/T9501/A/08/2084466

The Badger, Swindon, Sharperton, Morpeth, Northumberland, NE65 7AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Dr William Pickering against the decision of Northumberland National Park Authority.
- The application Ref 08NP0018, dated 4 April 2008, was refused by notice dated 18 June 2008.
- The development proposed is a change of use to garden.

Decision

1. I dismiss the appeal.

Procedural matters

2. The proposed development described above is only the first line of the description on the application form. The remainder of the description states, - *Since 1986 many native plants, shrubs and trees planted along with orchard, soft fruits and vegetables. A 'river corridor' within the garden, formerly destroyed by stock, has had natural vegetation restored and diversified, and banks stabilised. New native plant species added annually, which can recruit into surrounding land.* The National Park Authority describes the proposal as a change of use from agricultural land to domestic garden. This is a more accurate description to which I will have regard in my determination of this appeal.
3. The change of use of the land has already occurred and the application was made retrospectively.

Main issue

4. I consider that the main issue relating to this appeal is the effect of the change of use on the character and appearance of the surrounding countryside.

Reasons

5. The appeal property is a detached stone cottage set in the open countryside of the Northumberland National Park. Immediately alongside the property there is a pair of semi-detached cottages of similar appearance. To the rear of the three dwellings is a level grassed field, owned by the appellant and bounded to
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- the north by the Grasslees Burn and to the east by the Swindon Burn. The surrounding hills create an idyllic setting in an area of high landscape value.
6. The cottage originally had a short rear garden, similar in depth to the existing gardens behind the two adjoining cottages. However, over a number of years, the appellant has extended the rear boundary into the field to create a garden which is now several times larger than the original. The extended garden is surrounded by a post and rail fence and is clearly visible from the road which runs alongside the western boundary of the field.
 7. The appellant has planted many trees in the garden, mainly native British species. However, the garden has also been planted with fruit trees and a vegetable patch has been created with an area of soft fruit bushes. Domestic horticultural shrubs and flowers have also been introduced and the substantial areas between the plants and trees are maintained as lawn. Ornamental stones complete the appearance of this large landscaped garden.
 8. Planning Policy Statement 7 – Sustainable Development in Rural Areas (PPS7) emphasises, amongst other things, that nationally designated areas such as the National Parks have the highest status of protection in relation to landscape and scenic beauty and that the conservation of the natural beauty of the landscape should be given great weight in development control decisions in these areas. Policy C1 of the Northumberland National Park Local Plan (NPLP) also seeks to conserve and enhance the natural beauty of the area and states that proposals which would harm the quality and character of the landscape will not be permitted. Similarly Policy CD1 of the NPLP requires, amongst other things, development in the National Park to be in sympathy with the character of the landscape. This policy also encourages the planting of native species to help enhance nature conservation.
 9. The appellant argues that the native trees he has planted obscure the view of the garden from nearby Swindon Hill. However, on my visit I viewed the site from Harehaugh Hill which also has public open access. From here, the extended garden was clearly visible with nothing to obscure the view. The regular shape of the garden, demarcated by the post and rail fence protruding into the field, looked incongruous in the natural, open setting of the landscape, especially when compared to the neighbouring smaller gardens which appeared much more in scale with the cottages.
 10. I note the appellant's arguments that the planting of many native species has improved the ecology and biodiversity of the site from the previous grassland pasture. However, I am not persuaded that such diversification through the introduction of fruit trees and soft fruit bushes such as gooseberry, blackcurrant and raspberry and other domestic horticultural shrubs is in keeping with this part of the National Park. A previous Inspector, in dismissing an appeal by the current owner for residential development on the land, described the field as very open, good quality grazing land contrasting strongly with the heather clad slopes nearby. Against this background characterised by relatively few species, the appellant has introduced approximately 24 species which are all new to the site, in addition to horticultural shrubs and flowers. The concentration of so many different plants in one regimentally demarcated area which was formerly open pasture, appears alien and contrary to preserving the open character and natural beauty of the National Park.

11. The National Park Authority's own ecologist did not object to the development on landscape grounds due to the type of plants and the current layout. The ecologist commented that the garden was not particularly intrusive although it appears that the officer's only view of the site from Harehaugh Hill was from a photograph. As I am not aware of the age, scale or clarity of the photograph I am not persuaded by this argument, especially as I saw the impact of the extended garden for myself from Harehaugh Hill. The ecologist acknowledged that the garden might be more intrusive if it had a more formal layout. This adds to my concerns about the present proposal as it would be difficult to prevent undesirable layout changes in the future.
12. I conclude that this landscaped garden, which was previously open pasture land, is highly visually intrusive and detrimental to the outstanding natural beauty of this part of the Northumberland National Park. The development is contrary to the provisions of PPS7 and policies C1 and CD1 of the NPLP. Therefore, for the reasons given and having considered all other matters raised, I dismiss the appeal.

Anthony Lyman

INSPECTOR