

Department of the Environment
North Region
Wellbar House Gallowgate Newcastle upon Tyne

Telephone 0632-27575 ext

Copy

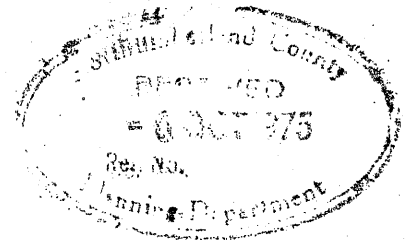
Messrs I Nicholson & Co
Solicitors
5 West Road
Ponteland
NORTHUMBERLAND NE20 9ST

Your reference
B20/C/10
Our reference
APP/5330/A/75/235
Date

17 October 1975

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1971
APPEAL BY MR AND MRS E BELL
APPLICATION NO 274/7



1. I am directed by the Secretary of State for the Environment to refer to your clients' appeal under Section 36 of the Town and Country Planning Act 1971 against the decision of Northumberland County Council to refuse planning permission for the establishment of a caravan site for six caravans at Starmyres, Elsdon.
2. The written representations made in support of the appeal and those of the Northumberland County Council, Alnwick District Council and Elsdon Parish Council have been considered. An officer of the Department has visited the site.
3. The appeal site comprises of the lower level part of a gently rising field some 300 yards south of Elsdon Village adjoining classified road C187. The site slopes from the south to the north towards Starmyres Cottage in the north-east corner, which has adjoining outbuildings and gated access to the appeal site on its western side. Because of the close proximity of the dwelling and outbuildings between the sharp bend in road C187 and the gated access, visibility to the east was severely sub-standard, being less than one hundred feet at zero "X" distance. The surrounding area was upland grazing of high visual quality and although the appeal site was relatively low-lying, it was fairly conspicuous from a wide area.
4. On behalf of your clients, you submitted that the traffic travelling downhill towards Elsdon along road C187 would have an unrestricted view of any caravan or vehicle intending to join this road from the appeal site. You contended that traffic movements to and from the appeal site were rare and the C187 road was only lightly trafficked, therefore road safety would not be unduly prejudiced by the proposal. You also pointed out that the appeal site was not visible from all the approaches to Elsdon Village and you thought that the situation within an area of great landscape value was over-emphasised. You submitted that there were two other caravan sites in the area both of which had poor access facilities.
5. The local planning authority submitted that it would be wrong in principle to encourage this type of development in essentially open countryside of great landscape value within the Northumberland National Park. The appeal site was situated in a conspicuous position without adequate screening and it was considered that it would be harmful to the present character of the area. An unmade access

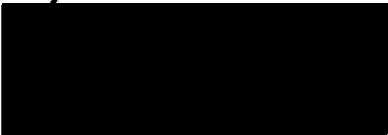
to the appeal site on its northern boundary severely restricted visibility eastwards to drivers emerging from the site and those approaching from the east, due to the close proximity of Starmyres Cottage, its outbuildings, and the right-angled bend in road C187.

6. The Elsdon Parish Council had also objected to the proposal on the grounds that no adequate screening could be provided for the caravan site which would be visible from all approaches to the village. Alwick District Council had advised that the appeal site was very badly drained which hampered access to the caravans by pedestrians and rendered access to the site by vehicles impossible during wet weather.

7. It is noted that the appeal site is in very pleasant open countryside and it is considered that it would not be possible to adequately conceal or screen the caravans on the relatively low-lying land which is situated within an area designated as being of great landscape value within the Northumberland National Park. It is considered that the proposed caravans would be fairly conspicuous from a wide area particularly from the western approaches to Elsdon Village along road B6341 and from the 2 minor roads which meet near Elsdon Bridge. It is accepted that whilst C187 road serving the appeal site is only lightly trafficked, it is nevertheless felt that the lack of visibility eastwards from the access point could lead to dangerous conditions arising from the manoeuvring of any caravans leaving or entering the appeal site. In the circumstances it is considered that the local planning authority were justified in refusing planning permission for the appeal proposal.

8. For the reasons given above the Secretary of State hereby dismisses your clients' appeal.

I am Gentlemen
Your obedient Servant



K MASTERSON
Authorised by the Secretary of State
to sign in that behalf.

Department of the Environment
Wellbar House
Gallowgate
NEWCASTLE UPON TYNE
NE1 4TU

Under the provisions of section 245 of the Town and Country Planning Act 1971 a person who/is aggrieved by the decision given in the accompanying letter may challenge its validity by an application made to the High Court within 6 weeks from the date when the decision is given. (This procedure applies both to decisions of the Secretary of State and to decisions given by an Inspector to whom an appeal has been transferred under paragraph 1(1) of Schedule 9 to the Town and Country Planning Act 1971.)

The grounds upon which an application may be made to the Court are:-

1. that the decision is not within the powers of the Act (that is, the Secretary of State or Inspector, as the case may be, had exceeded his powers); or
2. that any of the relevant requirements have not been complied with, and the applicant's interests have been substantially prejudiced by the failure to comply.

"The relevant requirements" are defined in section 245 of the Act: they are the requirements of that Act and the Tribunals and Inquiries Act 1971 or any enactment replaced thereby, and the requirements of any order, regulations or rules made under those Acts or under any of the Acts repealed by those Acts. These include the Town and Country Planning (Inquiries Procedure) Rules 1974 (SI 1974 No 419), which relate to the procedure on cases dealt with by the Secretary of State, and the Town and Country Planning Appeals (Determination by Appointed Persons) (Inquiries Procedure) Rules 1974 (SI 1974 No 420), which relate to the procedure on appeals transferred to Inspectors.