



Appeal Decision

Site visit made on 16 July 2024

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 August 2024

Appeal Ref: APP/P2935/W/24/3343557

Elishaw Farm, Elishaw Moor, Otterburn, Northumberland NE19 1JH

- 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 T Barrass against the decision of Northumberland County Council.
- The application Ref is 23/02166/FUL.
- The development is erection of BBQ hut and tree planting.

Decision

1. The appeal is allowed and planning permission is granted for erection of BBQ hut and tree planting at Elishaw Farm, Elishaw Moor, Otterburn, Northumberland NE19 1JH in accordance with the terms of the application, Ref 23/02166/FUL, subject to the following conditions:

- 1) The development hereby permitted is as shown and identified on the following approved plans and documents:

Site Location Plan TQRQM22143085114214
Proposed Site Plan 02 Revision 1
Front View A 01
Back View A 02
Left View A 03
Right View A 04
Top View A 05
Planning Application Form

- 2) No external lighting to serve the building hereby approved shall be erected/installed unless details of it have first been submitted to and approved in writing by the local planning authority. The details to be submitted for approval must include details of the light fitting's design, location, beam orientation and light levels and any measures such as motion sensors and timers that it deploys.

Any external lighting erected/installed must comply with the details approved through this condition and thereafter maintained so that it complies with the details approved through this condition.

Preliminary Matters

2. The BBQ hut building, together with tree planting beside it, are on site. The Council determined the planning application on a retrospective basis, and I have treated the appeal in the same way.

3. Timber fencing running along the boundary of the appeal site is also in situ and the effects of it are referenced in some of the evidence before me. However, no reference to fencing is made within the description of the development nor is it identified on the submitted plans. Furthermore, in its appeal statement, the Council set out that the fencing is not part of the development applied for. This all indicates to me that the fencing is not part of the development for my determination, and it is on this basis that I have made my decision.
4. The development description on the application form includes references to the development being retrospective and to the site's location. I have removed these references as they are not acts of development.
5. In December 2023, and since the Council made its decision on the application, a revised version of the National Planning Policy Framework (the Framework) has been published. I have had regard to the revised Framework insofar as it is relevant to this appeal.

Main Issue

6. The main issue is the effect of the development upon the character and appearance of the area including the Northumberland National Park.

Reasons

7. Elishaw Farm is located at the junction point of the A696 and A68 within a rural area to the north-west of Otterburn. Elishaw Farm includes some traditionally designed buildings which together exhibit stone walls, slate-covered pitched roofs and chimneys. However, it also includes other buildings with a much more utilitarian appearance including those constructed of blockwork and of sheet metal.
8. I find that the surroundings to the appeal site are generally characterised by moorland, grazing land, pockets of coniferous and deciduous woodland and farmsteads. The appeal site is located outside of, but in close proximity to, the Northumberland National Park (NP). The special qualities which help define the NP are its sense of tranquillity, its rich cultural heritage, the diverse landscape character within it and the rich nature of its biodiversity and geology. In respect of this designated landscape, I am mindful of the statutory duties imposed upon me to seek to further the purposes of this designation, which includes conserving and enhancing its natural beauty.
9. Although the BBQ hut is a detached structure, it is located close-by to other buildings at Elishaw Farm. As a result, it is well-related to the building group as a whole. The hut is a single storey building, and so it is not a tall building and it is of quite modest dimensions overall. It has pitched roof slopes, which are covered with a dark grey roofing material, and it incorporates a flue. This design is quite reflective of the roofscape of the traditional Elishaw Farm buildings. Therefore, even though it is a different type of building to the traditional ones, the hut is not unsympathetic to them. The dark coloured roof and the dark green painted timber elevations mean that the hut also has a recessive appearance which helps to assimilate it into the area.
10. Even though the hut is visible from surrounding land, including that within the NP, the tree planting which has taken place assists in screening, filtering and softening the views of it. Given this, its aforementioned design and its scale, I

find that the BBQ hut is unobtrusive. It is not harmfully prominent, nor does it jar with the surrounding rural landscape.

11. The trees which have been planted are non-native and coniferous. However, the tract of land upon which they have been planted is not extensive and there are many other coniferous trees within the area. Consequently, even though the planting of native species may have been preferable, including for biodiversity reasons, in these particular circumstances I find the planting undertaken to be acceptable with no harm deriving from it.
12. For the above reasons, the development has had acceptable effects upon the character and appearance of the area, and it conserves the natural beauty of the nearby NP. As a result, the development accords with policies QOP 1, QOP 2, QOP 4, ENV 1 and ENV 3 of the Northumberland Local Plan. Together, and amongst other matters, these policies require that development makes a positive contribution to local character, incorporates well-designed landscaping, protects Northumberland's valued natural environments including through the conservation and enhancement of the special qualities and the statutory purposes of the NP. The development also complies with advice within the Framework, including that at paragraph 182, which sets out that great weight should be given to conserving and enhancing the landscape and scenic beauty within National Parks and that development within their setting should be sensitively located and designed.

Other Matters

13. Although the appeal site is located beside the junction point of the A696 and the A68, which are key thoroughfares through Northumberland, the hut and the tree planting are set a distance away from their carriageways with grass verges on intervening land. I have no substantive evidence that the development has caused a detriment to junction visibility nor resulted in any effects prejudicial to highway safety. In coming to these views, I am also mindful that neither the local highway authority nor National Highways raised objections in their consultation responses.

Conditions

14. I have had regard to the conditions suggested by the Council, and I have considered them in the light of the advice on conditions contained within the Framework and the Planning Practice Guidance. Consequently, having regard to these documents, I have made some amendments to the Council's suggested conditions and their wording.
15. As the development has already taken place, a condition relating to the standard implementation period is unnecessary, as is a condition requiring that the building shall be constructed of certain materials. However, in the interests of certainty, enforceability and the character and appearance of the area, I have imposed a condition which sets out the approved plans and these, together with the submitted planning application form, adequately identify the building's external material finishes.
16. The Council has suggested a condition to agree any external lighting. Dark skies contribute to the NP's tranquillity, and it is therefore very sensitive to light pollution. Consequently, the need to control lighting at the site is clear to me. During my site visit I noted an external light above the hut's doorway.

However, since that time, I have received evidence that it has been removed. Should the installation of any external lighting be sought, control can be exercised in this regard through the condition I have imposed.

Conclusion

17. The development accords with the development plan as a whole, and there are no material considerations which indicate a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed subject to the conditions above.

H Jones

INSPECTOR