


Planning Inspectorate

Appeal Decision

Site visit made on 3 December 2025

by Zoë Franks, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 2 FEBRUARY 2026

Appeal Ref: APP/P2935/C/23/3331312

Land North East of Fieldholme, Embleton, Northumberland, NE66 3XJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr R Manners against an enforcement notice issued by Northumberland County Council.
 - The notice was issued on 18 September 2023.
 - The breach of planning control as alleged in the notice is without planning permission the installation of hard standing for access and 6no. pitches, the installation of electricity & water points to each pitch, the installation of a septic tank and the erection of a breezeblock building .
 - The requirements of the notice are to: (i) Remove the hardstanding (ii) Remove the electricity points (iii) Remove the water points (iv) Remove the septic tank (v) Remove the breezeblock building (vi) Remove the resulting material to an authorised place of disposal (such as a refuse centre) (vii) Restore the land to its condition before the breach took place by levelling the ground and re-seeding it with grass.
 - The periods for compliance with Requirements are: (i) – (v) 8 weeks, (vi) 10 weeks and (vii) 12 weeks.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (e), (f), (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. It is directed that the enforcement notice is varied by: the insertion of the words “or for storage to facilitate its reuse” at the end of requirement (vi).
2. Subject to the variation, the appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

The Notice

3. The plan attached to the notice does not include a name on the road adjoining the site. However, it does show the buildings on the edge of the village of Embleton, and labels the building known as Fieldholme and Mandell Place. It also includes a scale which indicates the distances. Taking these factors together, along with the prominent westerly bend in the road next to the appeal site, I was able to locate it easily. The notice and plan do therefore adequately identify the site.
4. The appellant has raised concerns regarding the description of the breach alleged in the notice, particularly regarding the existence and location of a septic tank. However, the appellant does not state that there is not a septic tank on the appeal site and did not respond to the Council’s statement with the photographs clarifying the description in the notice. The appellant is in the best position to know the relevant details about the development and what is required to restore the land to its condition before the breach took place, and as such, I do not find that the notice is defective.

Ground (e)

5. This ground of appeal is on the basis that copies of the notice were not served as required by the 1990 Act. The notice must be served on any owner/occupier of the land, and any other person with an interest in the land. The appellant is not alleging that the procedural service of the notice was inadequate but rather that the notice was insufficiently clear regarding the identification of the land and in the description of the breach, and therefore invalid.
6. As such the appeal under ground (e) does not succeed as there is nothing before me to show that the notice was not served in accordance with the statutory provisions, but the validity issues raised by the appellant are considered elsewhere in this decision.

Ground (a) and the deemed planning application

7. The main issue in the deemed planning application is the effect of the development on the character and appearance of the area. The notice alleges operational development only, and the use of the land for the siting of caravans for recreational purposes is not part of the deemed planning application in this appeal.
8. The appeal site is located to the north of the settlement of Embleton within the open countryside. The site boundary next to the road has a hedgerow which prevents immediate views from parts of the road but the wide site access allows clear views of the development. The works adversely effects the natural environment outside of the settlement of Embleton and erodes the countryside landscape through the non-rural appearance of the additional hardstanding, building and other works. The operational development, which is present throughout the year, changes the perception of the appeal site to something other than agricultural, and causes harm to the character and appearance of the area.
9. The appellant states that the existing use is permitted under the Town and Country Planning (General Permitted Development) Order 2015, but that the site could revert to agricultural use. However, the operational development sought (and in particular the hardstanding, septic tank and breezeblock building) is not compatible with an agricultural use on the site,
10. Whilst the appellant referred to two permissions granted for tourism development with associated hardstanding in countryside locations, and provided aerial photographs of examples of hardstanding development in North Northumberland, each case is determined on its particular details. When considering issues around the planning merits, this includes the extent of development, context, location and surroundings, and these details were not before me regarding these other developments. It was also not clear from the submissions whether the hardstanding shown in the photographs had been granted express planning permission. In addition, the development in this case does not only consist of hardstanding but also includes the building, septic tank and utility points. For these reasons, I have given limited weight to these examples.
11. ENV1 of the Northumberland Local Plan 2022 ("the NLP") states, amongst other things, that the character and/or significance of Northumberland's distinctive and valued natural environment will be conserved, protected and enhanced, and Policy ENV3 of the NLP advises that consideration will be given to the special character of this area and the importance of its conservation. The harm to the character and

appearance of the area caused by the development does not conserve, protect or enhance the natural landscape and the development is therefore in conflict with Policy ENV1.

12. Policy 1 of the Embleton Neighbourhood Plan 2020 ("the ENP"), which is also part of the development plan for the area, states that land outside of the defined settlement boundaries will be treated as countryside whose intrinsic character and beauty must be recognised in all decision making on development proposals in these areas. It also advises that the forms of development supported includes development and diversification of agricultural and other land-based rural business, sustainable rural tourism and leisure developments which respect the character of the countryside. However, the harm caused by the development as set out above indicates that this development does not respect the character of the countryside and would therefore not be in accordance with this policy.
13. The development causes harm to the character and appearance of the area and it is not in accordance with policies ENV1, ENV3 and P1 as set out above, and the development plan as a whole. As there are not any material considerations to outweigh this harm, the appeal on ground (a) fails and the deemed planning application is dismissed.

Ground (f)

14. This ground of appeal is that the steps required by the notice to be taken exceed what is necessary to remedy any breach of planning control which may be constituted by the matters stated in the notice. The purpose of the notice is to remedy the breach of planning control. As the notice requires that the land be restored to its previous condition before development took place, it does not require any more than was necessary to remedy the breach.
15. Whilst the appellant argues that some of the materials could be re-used on site, full details regarding an alternative scheme and whether it would constitute part of the matters stated in the notice have not been provided.
16. However, requirement (vi) should be varied to permit the resulting material to be removed to an authorised place of disposal or for storage so that it can be reused elsewhere as appropriate. The appeal on ground(f) therefore succeeds to this limited extent.

Ground (g)

17. The appellant seeks an extension of the compliance period to 12 months for all the requirements. However, the justification for this time extension was that a subsequent planning application (Ref 23/02650/FUL) had been submitted which, if granted permission, would have implications for the notice requirements. The Council have indicated in their statement that this application was withdrawn.
18. As such, and taking the extent of the works required to be undertaken by the notice, the compliance periods are proportionate, and the appeal on this ground does not succeed.

Zoë Franks

INSPECTOR