



Appeal Decision

Inquiry opened on 8 July 2008

Site visit made on 14 July 2008

by **C J Ball** RIBA IHBC FRSA

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

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Decision date:
1 September 2008

Appeal Ref: APP/M1330/A/08/2067181

Land to the west of Hardwick Park & north of the A689, Sedgefield TS21 2EL

- 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 Theakston Farms LLP against the decision of Sedgefield Borough Council.
- The application Ref 7/2007/0531/DM, dated 24 August 2007 was refused by notice dated 1 February 2008.
- The development proposed is described as the change of use of the land for the siting of static caravans/park homes and lodge visitor accommodation together with ancillary landscape, access, drainage and engineering works and the use of Brakes Farmhouse as a Management Centre together with the erection of an agricultural building to include ancillary shop and office space.

Decision

1. I dismiss the appeal.

Preliminary matters

2. The inquiry sat for 6 days on 8-11 and 15-16 July. I made an unaccompanied pre-inquiry visit to the area on 7 July and an accompanied visit to the site and its surroundings on 14 July. I made further unaccompanied visits to the surrounding area during the course of the inquiry.
3. A letter accompanying the application explained that the development proposals include the siting of 330 static caravans/park homes and 70 lodges/chalets; a rare breed centre to incorporate an associated farm shop and office accommodation; the conversion of Brakes Farm, including the demolition of various ancillary buildings, to create a management centre; the planting of 8.3 ha of woodland; landscape enhancement and management; the formalisation of existing wetland and the restoration of water features; increased public access; and associated infrastructure works. During the course of the application, the proposals were amended by omitting 22 lodges. The amended proposal, including the siting of 330 static caravans and 48 lodge visitor accommodation, was considered by the Council and is the subject of this inquiry.
4. At the inquiry further minor alterations were made to the layout arising primarily from the appellant's unchallenged noise evidence. These agreed alterations are shown on revised plans 2422.10 Rev C, 2422.18 Rev B and 2422.23 Rev A. They do not materially alter the nature of the proposal and I have taken the amended layout into account.

Environmental impact assessment

5. The application was accompanied by an Environmental Statement (ES) made in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (the EIA Regulations), including a non-technical summary. I am satisfied that this, together with the further evidence given at the

inquiry, represents the necessary environmental information for the purposes of Regulation 3 of the EIA Regulations, and I have taken all the information into account in considering the proposal.

Agreed matters

6. Before the inquiry, the main parties submitted a statement of common ground. This gives a description of the appeal site and its surroundings; sets out the background to the current appeal; details the appeal proposals for the siting of 330 static caravans and 48 lodges in phases; summarises the history of the Council's determination of the application; sets out national policy guidance, the relevant development plan policies and other material considerations; and summarises other matters of agreement between the Council and the appellant. The statement confirms that, subject in many cases to the imposition of appropriate conditions, considerations related to air quality, flood risk, archaeology, land contamination, sewerage, water supply, energy efficiency, ecology, noise and highway access and capacity do not provide grounds for withholding planning permission. Appendices 1-22 support the statement.

Main issue

7. With this in mind, I consider the main issue in this appeal to be the effect the proposal would have on the character and appearance of the local countryside, bearing in mind national and local planning policies relating to tourism and rural development and the protection of historic assets.

Policy Background

8. The Regional Spatial Strategy for the North East (RSS) was adopted while the inquiry was sitting so its policies, at draft stage when the application was considered by the Council, now carry full weight as part of the local development plan.
9. The Council places no reliance on the Durham County Structure Plan 1991. Very few of its policies have been saved and none of them are relevant to this appeal. Most of the policies contained within the Sedgefield Borough Local Plan 1996 (LP) have been saved. Of particular relevance are Policy E1: Maintenance of Landscape Character; Policy E2: Preservation and Enhancement of Historic Parklands; and Policy L21: Caravan, Chalet and Camp Sites.
10. The Council's emerging replacement Local Development Framework is at a very early stage and it is agreed that it carries no weight for the purposes of this appeal.
11. Relevant and up to date national policy guidance is set out in PPS1: *Delivering Sustainable Development* and its supplement *Planning and Climate Change*, PPS7 *Sustainable Development in Rural Areas*, PPG13 *Transport*, PPG15 *Planning and the Historic Environment* and the *Good Practice Guide on Planning for Tourism* (GPGPT).
12. Other material considerations of particular relevance include *The County Durham Landscape Strategy* (CDLS) and *The County Durham Area Tourism Management Plan* (ATMaP).

Reasons for the decision

The proposal

13. The 88 ha of Brakes Farm were originally part of the once larger Hardwick Estate. The farmland lies immediately to the south and west of the Hardwick Park Conservation Area, which reflects the extent of the grade II* registered historic park and garden laid out for Hardwick Hall. The majority of the farmland is currently in agricultural use as either pasture or arable land, with blocks of woodland. It includes Brakes Farmhouse and its

associated outbuildings. Brakes Farmhouse is about 2 km from Sedgefield town centre. Access is from a track off a new access road serving a visitors' centre and car park for Hardwick Park, currently under construction. A public bridleway (No.62) crosses the site from south-east to north-west and connects with a public footpath beyond the site leading back to Sedgefield.

14. The proposal essentially envisages the siting of 378 static caravans and lodges on the existing farmland hidden within surrounding belts of new woodland planting. The static caravans would be sited in 3 large groups on the southern fields with 2 separate clusters of lodges some distance away to the north-west. The remainder of the land would be managed for conservation purposes and as pasture land in association with the rare breeds centre. Most of the modern farm buildings at Brakes Farmhouse would be demolished, reinstating the traditional farm group. The design of the rare breeds centre closely reflects the traditional buildings at the farm. This new building would be located near to the visitors' centre car park and is intended to be a visitor attraction.
15. Access to the various caravan and lodge groups would be by the upgraded existing Brakes Farm tracks, including part of Bridleway 62. Within their surrounding tree screen planting belts, the caravans and lodges would be sited in serried ranks along cul-de-sac access roads. Each caravan or lodge would have an adjacent parking space. The majority of the caravans and lodges would be sold as holiday homes, with a condition restricting their use as permanent dwellings. A proportion would be kept available for holiday rental use.

The local countryside

16. The distinctive local landscape is characterised by a gently undulating irregular pattern of small-scale arable and pasture fields, enclosed by hedgerows, with occasional hedgerow trees, watercourses and blocks of plantation woodland, typical of the southern and eastern Durham lowlands. CDLS identifies a range of local landscape types which together make up the distinctive character of the Brakes Farm landscape. In the areas where caravans and lodges would be sited the farmland includes open arable, open pasture, wooded arable and wooded pasture. The site falls wholly within an area designated in CDLS as a Landscape Conservation Priority Area, where the strategy for the southern fields is to conserve and enhance the landscape, while the landscape strategy for the north-western part of the site is to conserve and restore it. CDLS promotes the creation of new woodlands subject to the ability of the local landscape to accommodate them. The site again falls into 2 parts, with the north-western area more sensitive to change than the southern parts.
17. The whole of the site lies within a larger area designated as Historic Parkland, representing the original estate of Hardwick Park. Most of the open pasture fields to the north-west of the site, and one to the south of Brakes Farmhouse, display the distinctive characteristics of ridge and furrow cultivation, reflecting historic farming methods. While EH places limited archaeological value on the ridge and furrow earthworks, the distinctive appearance of these fields contributes significantly to the particular character and appearance of the farmland. They help to create a unique sense of place and add to the historic interest of the landscape. I consider these fields to be an important feature of the local landscape.
18. The 2 plantations within the site – Tile Shed Plantation and Pheasant Plantation – were planted when Brakes Farm formed part of the Hardwick Estate. They are indicative of a carefully planned relationship between farmland and tree groups, and this relationship is an important aspect of the outlook from Hardwick Hall. A small belt of trees has recently been planted in the south-east corner of the field known as North Horse Close to replace an original plantation in this position, thereby restoring this landscape feature in accordance with CDLS objectives. Trees were planted in 2004 in the field in the south-eastern corner of the farm, creating a new woodland in the less sensitive area of the site.

This currently demonstrates the local growth rate of planted trees, and would be altered to accommodate static caravans as part of the proposal.

19. The Council and local residents are concerned that the size and extent of the site would result in overdevelopment in the countryside, and I heard that this site when complete would be one of the largest of its type in the North-East. However LP Policy L21, which is central to this appeal, places no restriction on the size or location of static caravan sites provided the site is adequately screened all year round and the pitches are laid out in a manner compatible with the local landscape; the scale of the development should not adversely affect the character of the landscape. Thus this issue turns on the layout of the site, the quality of the screening and the impact on the character of the landscape.
20. At the inquiry, I heard evidence as to whether the requirement for the site to be adequately screened meant that the screening had to be in existence at application stage. However, it seems to me that the proviso must apply to the site when it is in use, and I see no real objection in principle to the appellant's approach, which is intended to provide adequate screening by allowing at least 5 years growth of newly planted woodland before installing the caravans and lodges in phases. This could be secured by a Grampian-type condition. The woodland planted in 2004 shows that the trees could have sufficient height and density after 5 years to provide adequate screening but any doubt could be met by increasing the pre-installation growth period – the appellant suggests a possible 10 years for the lodge sites – or perhaps making an on-site assessment of height and effectiveness at agreed intervals. I consider that this approach in principle is an acceptable way of meeting the screening provision of Policy L21.
21. The proposed layout has been fairly carefully designed, locating the static caravans on the southern part of the site within new blocks of woodland. This area is screened from view from Hardwick Hall by a dense group of mature trees on the southern edge of the park. I consider that this less sensitive part of the site could readily accommodate new woodland and that this would enhance the landscape here in accordance with the aims of CDLS. The southern and central areas of ridge and furrow would remain as open pasture. The restored Brakes farmhouse buildings and the new rare breeds centre would reflect local building traditions and would fit into the landscape, in accordance with LP Policy E1.
22. However, all parties agree that the north-western part of site is much more sensitive to change. Here, later trees joining Pheasant Plantation and Brick Kiln Plantation on the northern boundary of the site would be removed, restoring an original view between the plantations from the Temple in Hardwick Park. Two clusters of lodges would be sited within new woodlands extending to the west of Pheasant Plantation and to the north of Tile Shed Plantation. Two more woodlands, originally intended to accommodate lodges but now to be left unpopulated, would be planted to the west of Tile Shed Plantation.
23. This area lies within a 'view shadow' from the Temple, created by Pheasant Plantation, and would not be particularly apparent from there. The appellant takes the view that, if it can't be seen, development would not be harmful to the character or appearance of the landscape. However, while these woodlands may not be seen from the Temple, they would be visible from elsewhere within the Historic Parkland. More importantly, this area is far less able to accommodate new woodland; the introduction of substantial new plantations would clearly alter the carefully considered balance between open farmland and blocks of woodland. This would be a distinct change in the landscape pattern and, although very local, the distinctive character of the landscape in this part of the site would not be maintained as required by Policy E1.
24. This change in character would be very apparent to walkers and riders using Bridleway 62, which passes close to these new woodlands. Visitors' vehicles would be using the track at this point. This alone would be unwelcome but there could also be clear views into the clusters of lodges at the vehicular entrances into their surrounding woodlands. Movement, lights and noise within the inhabited woodlands would be very apparent in

this tranquil location to users of the bridleway. I believe that the tree screening for these 2 clusters would not be particularly effective, no matter how long the trees had grown. Views across open farmland would be lost from long stretches of the bridleway and large areas of the characteristic ridge and furrow fields would be obscured. While some conservation benefit is claimed for the new uninhabited woodlands to the west, there is no overriding need to change the existing habitat and I see no real justification for their inclusion in the site layout. I consider that the addition of these 4 woodland groups would be particularly harmful to the character of the most sensitive part of the site. They would not conserve or restore the distinctive landscape of this area.

25. Both national and local planning policies support sustainable rural tourism developments which benefit the local area but do not harm the character of the countryside. As PPS7 makes clear, this requires a careful weighing of the objective of providing new static caravan sites with the need to protect the landscape and environmentally sensitive areas. In this case I consider that, in accordance with CDLS guidance, the landscape of the southern part of the site, less sensitive to change, is able to accommodate new woodlands which would effectively enhance the landscape character of this part of Brakes Farm. Subject to sufficient growth, the woodlands would provide adequate all year round screening of the static caravans within them. While the pitches within the wooded enclosures would be laid out in a fairly traditional way, they would be in clusters and I understand the layout would meet current industry standards. The scale and overall layout of this part of the site - centred on the restored Brakes farmhouse, encompassing the Rare Breeds Centre and close to the Hardwick Park visitor centre – would be compatible with the character of the landscape of the southern part of the farm. I consider that this part of the development would meet the provisions of LP Policies L21.
26. In sharp contrast, the 4 new woodlands to the north-west would be particularly damaging to the most sensitive part of the site. The distinctive landscape of this part of the farm has a very limited ability to accommodate new woodland and, in direct conflict with the aims of LP Policy E1, its character would not be maintained by the addition of these 4 wooded areas. The addition of new woodland in this area would not conserve or restore the distinctive historic landscape, contrary to CDLS guidance and, through dramatically changing the balance of open farmland and blocks of woodland, would have a particularly adverse effect on its character. The inhabited woodlands would not be adequately screened and cars, lodges and people would be very apparent from the bridleway. I consider that the scale and nature of the development in this area would be such that it would overwhelmingly fail to meet the requirements of Policy L21.

The historic assets

27. Hardwick Hall, now an hotel, is a country house of 1634 which was remodelled in the mid 18th century. The house is listed grade II for its special architectural and historic interest. Its grounds were laid out contemporaneously to provide a pleasure garden, although the associated parkland, now severed by the A177, is probably of earlier origin. Hardwick Park is registered grade II* in the EH Register of Parks and Gardens of Special Historic Interest. The house lies in a rather spectacular setting on high ground overlooking its lakes and gardens and with longer views of farmland beyond. The garden includes a range of smaller buildings and other structures, designed as landscape features, some of which are individually listed.
28. The garden and its landscape buildings were overgrown and in poor condition when it was first registered in 1986. The updated register description of 1998 shows that many features were still then in a ruinous state, with the drained lake area in agricultural use. Most of the site was acquired by the County Council in the 1970s and part of the gardens was subsequently opened to the public as a Country Park. A recently constructed visitors' centre and car parking for the Country Park is located beyond the southern boundary of the historic park, adjacent to the appeal site.

29. The gardens have recently been restored as nearly as possible to their 18th century design, most notably with the recreation of the lake and the reconstruction of the Temple of Minerva on its raised platform to the south of the lake. The lake is the central uniting feature of the designed landscape, with the various structures ranged around it seen in the context of a large expanse of water. From the Temple there are panoramic views of the grounds and, importantly, picturesque landscape views of the farmland beyond, once part of the Hardwick estate. The carefully planned views of the farmland from both the house and the Temple are a significant feature of the garden layout. The importance of this farm landscape to the character of the historic park is reflected in the Local Plan designation under Policy E2 of land beyond the registered historic park as Historic Parkland. This area includes a substantial part of Brakes Farm and indeed most of the area where caravans and lodges would be sited. The historic park has also been designated a Conservation Area.
30. The proposal would have no direct impact on the registered historic garden or the listed buildings and structures within it. The critical consideration, as the appellant fully recognises, is the impact of the proposal on the important views from the house and the Temple of the historic parkland beyond. The appellant's approach to laying out the site has been to aim to conceal the caravans and lodges from view from these crucial viewpoints. The fairly narrow view from the house, framed on both sides by existing Park woodland, would be of the refurbished Brakes Farmhouse group of buildings across pastureland, with new woodland (containing caravans) beyond. Because of the removal of the large modern farm buildings I consider that, on balance, there would be some improvement of the existing view. To some degree this would enhance the setting of the listed Hall.
31. There is an almost 90° panorama of the historic parkland to the west from the Temple, from a glimpse of Brakes Farmhouse in the south-west to Brick Kiln Plantation in the north-west. The mature woodland along the southern boundary of the park would screen the caravan park to the south. The 2 clusters of new woodland (with lodges) to the west would be hidden from view behind Pheasant Plantation, with the 2 new unpopulated woodlands further to the west concealed by Tile Shed Plantation. An original view between Pheasant and Brick Kiln Plantations would be opened up. While it might eventually be apparent that the woodland in this area was more extensive, I do not consider that the location of the lodges here would intrude significantly into views from the temple. However, people and vehicles travelling the access route between the lodge locations and Brakes Farmhouse would be very apparent. I consider that the increased movement of people, cars and service vehicles in the landscape, particularly when headlights were in use, would be particularly intrusive into views of the farmland from the temple. This would significantly diminish the value and quality of this important view, which is a determining characteristic of the park. In this respect I consider that, in conflict with Policy 18, the proposal would not protect views from the park, thereby undermining the character of the setting of the conservation area.
32. Policy E2 seeks to preserve or enhance the historic character and appearance of the Historic Parkland at Hardwick Park; within that designated area only development proposals that are compatible with existing uses already within the area will be approved provided the proposal is not detrimental to the historic landscape of the area and any buildings are sited and designed in sympathy with local character. The text to the policy indicates that appropriate development could include golf courses, country parks, picnic areas which predominantly make use of open countryside and require little built development.
33. The proposal does not fall easily within this description. However, the County Council as operators of the Country Park welcome the proposal as both a way of boosting visitor numbers and a method of providing increased security. To that extent the proposal would be compatible with the existing Country Park use. The development requires a

countryside location and caravans and lodges are not considered to be permanent structures so there would be little built development. The rare breeds centre has been designed to reflect local character. I have already found that the changes to the landscape would be compatible with the character of the southern part of the farm but would have an adverse effect on the northern part. This is the most sensitive part of the site, where the important relationship between tree groups and open farmland would be significantly altered. The quality of this area would be dramatically reduced. I find that, while for the most part the scheme would not be detrimental to the historic landscape of the area, I have to conclude that overall, because of the impact on the most sensitive area of the farm, the proposal would not fully meet the objectives of Policy E2, which is intended to preserve or enhance the Historic Parkland as an area of special landscape value.

Environmental, economic and social benefits

34. This is a major rural tourism development which would accord with the RSS and County strategic tourism objectives. It would meet ATMaP criteria and objectives intended to increase visitor numbers, improve standards of accommodation, lengthen the season and enhance the tourism product within the county. All the relevant planning policies require new development to be in sustainable locations, while recognising that this may be more difficult for tourism projects in rural areas. GPGPT advises that new rural tourism sites that are close to existing settlements will generally be more sustainable as some local services may be accessed by means other than the car.
35. There are very limited opportunities to make principal longer distance journeys to the site by public transport so, particularly since it is so close to the A1(M), it is likely that the vast majority of visitors would travel to the site by car. However, once there, there would be opportunities for exploring the area by other means of travel. The site is immediately adjacent to the Country Park and its new visitors' centre so it would be easily accessible on foot, as would the new Rare Breeds Centre, seen as an additional visitor attraction. Increased numbers could also result in the reinstatement of the Country Park bus service. The site is fairly close to Sedgefield and there would be attractive footpath links to the town centre. There would also be a cycle path, linked to route 1 of the National Cycle Network. Bicycles would be available for hire on site, there would be off-site upgrading of the existing cycle path and provision of new cycle parking facilities in the town centre. Regular bus services link Sedgefield to towns and other visitor attractions throughout the district.
36. The operators would also run a shuttle bus service to the town centre via the Country Park and would be required to implement an agreed Travel Plan to encourage sustainable methods of travel. While local residents are concerned about the impact of additional cars on the availability of parking space in the town centre, their own survey conducted for the inquiry showed that there would be no significant problem. I consider that, while most journeys would be likely to involve travel by car, there would be good opportunities for access to the town centre and local facilities by other means of travel. Visitors to the site would not therefore be entirely dependent on their cars and I consider that, for a rural tourism development, the site would be in a reasonably sustainable location.
37. The management centre at Brakes Farmhouse, the rare breeds centre and the caravans and lodges would all employ measures to ensure that 10% of their energy requirements were met by embedded renewable energy resources. Nationally, far more stringent requirements are currently under consideration and, since the intention is to delay the installation of the caravans and lodges for at least 5 years, it may be more appropriate to relate the renewable energy contribution to the standards prevailing at the time of construction or installation. However, at present I consider that the percentage proposed would make a useful contribution towards a reduction in carbon emissions, consistent with the RSS and current national planning objectives related to climate change.

38. Careful consideration has been given to the impact of the scheme on the ecology and wildlife of the area. The additional woodland would eventually increase the extent of habitat for birds and bats, while the managed grassland would provide a much more biodiverse habitat, and additional foraging areas for badgers. Other measures, including new ponds, would consolidate the presence of other species. There would be increased public access to the farmland, encouraging an interest in conservation. However, the more remote northern part of the site, including the important grassland habitat to the north and west of Tile Shed Plantation, is the most susceptible to disturbance and the extent of any impact is uncertain. I have serious concerns as to whether the inhabited woodlands would provide a suitable long term habitat for wildlife. I consider it entirely possible that human activity, noise and lighting in these areas could lead to the displacement of a significant number of local wildlife species, including protected species.
39. The Council accepts that the proposal would bring significant economic benefits to the area. While there were some arguments at the inquiry about the levels of daily average spend, it is quite clear that the proposal would result in many more visitors to the Country Park and a substantial tourist spend, leading to increased business for shops, pubs and restaurants in Sedgefield and elsewhere in the district. A substantial number of new jobs would be created, both directly and indirectly, making an important contribution to addressing the relatively high level of unemployment in the Borough. I consider that the proposal would substantially increase local prosperity and make a major contribution to the local economy.
40. Local residents expressed concern about the potential for problems arising from full-time residential use of the site, expansion of the numbers of caravans and lodges and the possibility of eventual conversion to permanent dwellings. They are also concerned about the additional pressure on local infrastructure and services, such as the local health services, school places, policing, water supply and sewerage, and the potential for an increase in crime. I consider these concerns to be generally unfounded. This location is entirely unacceptable for a development of permanent dwellings and such a proposal would be entirely contrary to national and local planning policy. There would be strict and enforceable controls restricting the use of the caravans and lodges to holiday purposes only. Any suggested expansion would be subject to the need for planning permission, and would be weighed against any harmful impact that expansion would have. The highways authority and all but one of the service providers make no objection and nor do the health and police authorities. As they would be holiday homes, there would be no requirement for school places. Conditions could be imposed to ensure that foul and surface water drainage was properly dealt with.
41. There is however an existing problem with the water supply to Sedgefield which I understand is very close to, and is occasionally at, minimum service levels. The water demand from the appeal site would inevitably lead to service levels failing the required performance standard. To overcome this, Northumbrian Water proposes the replacement of a length of water main, to be funded at least in part by contributions from developers. A Grampian type condition is suggested in order to prevent development until the new main is in place, with the intention of securing a financial contribution through a s.106 Agreement.
42. The appellant rejects this suggestion, considering that, as with any other development, there is a right to a water supply. However, this is not a planned residential development where the need for appropriate infrastructure could be foreseen and adequate provision made. This is a commercial tourism development which would directly cause serious water supply problems for local residents. I consider that to be a material planning objection. While there is limited evidence before me, and nothing concerning discussions on a fair and reasonable contribution to the cost of pipeline replacement, I consider that a restrictive condition preventing the installation of any lodge or caravan until the new water main is in place would be necessary to overcome this particular problem.

43. With that in mind, and with the exception of the potential for a harmful impact on wildlife in the northern part of the site, overall I consider that the proposed development would result in considerable environmental, economic and social benefits for the local area.

Conclusions

44. There is strong policy support for high quality rural tourism development in the region and this proposal would meet all the relevant strategic objectives and quality criteria. It would be in a reasonably sustainable location, close to Sedgefield, allowing good access to the town centre by a choice of means of travel. There would be a significant increase in visitor numbers to the Country Park and to other local visitor attractions and there would be major economic benefits for the town and the surrounding area, not least in support for local businesses and the creation of new employment opportunities. Nonetheless, the site is in a rural location and the benefits arising from the provision of tourism accommodation must be weighed against the need to protect the landscape and environmentally sensitive areas.
45. The appellant has given very careful consideration to the impact of the proposal on the landscape at Brakes Farm. Almost the entire site is within the area of Historic Parkland designated to protect the outlook from Hardwick Park. In landscape terms, the northern part of the site is far more sensitive to change than the southern part. The establishment of new woodlands, allowing sufficient growth before siting the caravans within them, in principle would meet the requirement for the caravans to be adequately screened from view. The creation of the new woodlands would enhance the landscape character of the southern part of the site and there would be some enhancement of the outlook from Hardwick Hall through the restoration of woodland views and the removal of unattractive modern farm buildings. The central pasture fields, many in ridge and furrow, would be protected from unsightly farming methods which could impair the quality of landscape views, and there would generally be an improvement in the quality of wildlife habitat.
46. However, the siting of 4 new areas of woodland, 2 containing clusters of lodges, adjacent to Tile Shed and Pheasant Plantations would irrevocably alter the carefully considered balance of open farmland and woodland which is the defining characteristic of this part of the landscape. This change, largely screened from Hardwick Park, would nonetheless be very noticeable from within the area of historic parkland, and the presence of the lodges, and the associated activity, noise and lighting would be very apparent to users of the bridleway. Considerable areas of ridge and furrow would be obscured and open landscape views would be curtailed. Pedestrian and vehicular movement would be apparent from the Temple, undermining the tranquillity of these important landscape views. There is also a distinct possibility that development in this area would displace local wildlife species. I therefore consider that the proposal would cause extensive harm to this more sensitive part of the site.
47. The appellant recognises that this part of the site is particularly sensitive and had already omitted from the application 2 clusters of 22 lodges between Tile Shed Plantation and the Carrs wetland for conservation reasons. At the inquiry he suggested a condition to omit a further cluster of 19 lodges and/or woodland adjacent to Tile Shed Plantation. While this would reduce the harm, 29 lodges would remain at Pheasant Plantation and, in my view, the omission of 1 cluster of lodges would not overcome the fundamental objections to the damage which would be caused to the character of the landscape and important views of it. I have considered the possibility of imposing a further condition to omit the remaining lodge site but this would seriously alter the nature of the proposal. I heard no evidence as to whether or not the lodges are essential to the viability of the scheme, and I consider that such a condition would not meet the reasonableness test of Circular 11/95.
48. There is no doubt that a scheme of this nature would contribute significantly to the tourism objectives for the area and I see no real objection to the major part of the development, located on the southern fields. However, the smaller area of development

in the northern part of the site, remote from the main body of caravans, would be particularly harmful within its specific context. Development here would not give sufficient protection to this area of landscape, the most environmentally sensitive part of the site. This harm cannot be overcome by imposing conditions so that part of the proposal is not therefore acceptable. The many positive advantages of the scheme carry significant weight but I consider, on balance, that they would not outweigh the extensive harm that would be caused by a small but significant part of the development to the character and appearance of the local countryside. For the reasons given above, I conclude that the appeal should be dismissed.

Colin Ball

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Ruth Stockley of Counsel She called: James Bullock BA(Hons) DipLA AMLI Gary Swarbrick BA(Hons) DipTP MRTPI	Instructed by the Council's Solicitor. Pleydell Smithyman Ltd, 20a The Wharfage, Ironbridge, Telford. England & Lyle, Chartered Town Planners, Morton House, Morton Road, Darlington
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FOR THE OBJECTORS:

Gloria Wills BA(Hons) PGCE, who also gave evidence. She called: David Stovell BSc MRTPI Angela Barron BA(Hons) MA Ivan Porter Julia Bowles Paul Elwell MSc CEng CEnv FICE FIHT Lesley Swinbank BSc(Hons) PGCE MBA FILCM	Acting for the Town Council and the Village Residents Forum; Hare Hills Lodge, Sedgefield, David Stovell and Millwater, 5 Brentnall Centre, Brentnall Street, Middlesbrough. 59 The Orchard, Sedgefield. 40 West End, Sedgefield. Chair, Sedgefield Village Residents Forum; 6 Beacon Avenue, Sedgefield. 30 Station Road, Sedgefield. Town Clerk, Sedgefield Town Council; Springweal House, Sedgefield;
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FOR THE APPELLANT:

Christopher Katkowski QC, assisted by Charles Banner of Counsel They called: Stuart Wilkins IEng MICE MIHT Nick Owen BA(Hons) Stephen Laws BA(Hons) DipLA MLI Anthony Martin BSc(Hons) PhD MLI MIEEM Peter Smith BA(Hons) MRCIS Christopher Harrison BA(Hons) DipTP MRTPI	Instructed by Nathaniel Lichfield and Partners Ltd. Steer Davies Gleave, West Riding House, 67 Albion Street, Leeds. Historic Landscape Consultant, Mallowburn Cottages, Wark-on-Tyne. Anthony Walker and Partners, 10 Summerhill Terrace, Newcastle upon Tyne. E3 Ecology Ltd, Pasture House, Wark, Hexham. HLL Humberts Leisure, Chartered Surveyors, 2 Stable Courtyard, Broughton Hall, Skipton. Nathaniel Lichfield and Partners Ltd, Generator Studios, Trafalgar Street, Newcastle upon Tyne.
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INTERESTED PERSONS:

Elizabeth Mann, Alfred Walton David King Anthony Robb Eamonn Murtagh Cllr John Robinson JP	Chair, Durham County CPRE; 26 Milbank Court, Darlington. Low Hardwick Farm, Sedgefield. 17 Hadleigh Close, Sedgefield. 42 Beacon Avenue, Sedgefield. 70 The Meadows, Sedgefield. Town, Borough and County Councillor; 28 White House Drive, Sedgefield.
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ADDITIONAL PLANS AND DOCUMENTS SUBMITTED AT THE INQUIRY

- 1 Signed cover page to the statement of common ground.
- 2 Copies of Council correspondence relating to Mr Swarbrick's appointment.
- 3 Copies of correspondence from Durham County Council relating to the Travel Plan.
- 4 Details of public transport services from Sedgefield.
- 5 Sedgefield Borough Local Plan Proposals Map 3.
- 6 Plan of Sedgefield town centre showing '5 minute walk' parking areas.
- 7 Copy of letter dated 5 July 2007 from English Heritage to Nathaniel Lichfield & Partners.
- 8 Copy of email correspondence relating to daily tourist spend.
- 9 Copy of letter dated 21 July 2002 from Durham County Badger Group.
- 10 Petition by local residents.
- 11 Copy of letter dated 1 June 2008 from the Sedgefield Civic Trust confirming support for the Objectors.
- 12 Wikipedia extract – definition of 'A tourist destination'.
- 13 GYBC website extract explaining National Non-Domestic Rates.
- 14 Extract from County Durham tourism website – 'Must See Top 10'.
- 15 Appeal Decision 2063951 relating to tourism development at Great Ayton.
- 16 Plan of Hardwick Park circa 1856-1865.
- 17 Letter (undated) from Phil Wilson MP.
- 18 Copy of committee report relating to off-road recreational motor sports activity at Low Hardwick Farm.
- 19 Extract from County Definitive Map of Public Rights of Way.
- 20 Copy of letter dated 26 March 2008 from Durham County Council to Mr Walton.
- 21 Copy of Concept Masterplan 2422.04 dated April 2007.
- 22 Record of accompanied site visit route.
- 23 Cllr Robinson's statement.
- 24 Amended plans 2422.10 rev C, 2422,18 rev B and 2422.23 Rev A.
- 25 Plan NE20330/11 showing agricultural buildings proposed to be demolished at Brakes Farm.
- 26 Agreed list of suggested conditions.
- 27 Mrs Wills' closing submissions.
- 28 Miss Stockley's closing submissions.
- 29 Mr Katkowski's closing submissions.