
Appeal Decision

Site visit made on 3 July 2017

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 25 July 2017

Appeal Ref: APP/X1355/W/17/3171077

Land to the rear of 3 Lintz Terrace, Oxhill, Durham DH9 7LZ

- 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 Mr David Thompson against the decision of Durham County Council.
 - The application Ref DM/16/03550/FPA, dated 8 November 2016, was refused by notice dated 16 January 2017.
 - The development proposed is detached two storey dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. Lintz Terrace consists of a short residential terrace with ancillary garden areas and outbuildings located to the rear which are separated from the terrace by a service lane. As identified in a previous appeal¹, this ancillary area represents a transition between the built form of the terrace and the wider countryside to the north. The pattern of development of Lintz Terrace as well as the adjacent Ox Inn Public House is characterised by a strong road frontage with subsidiary ancillary buildings located to the rear.
4. Whilst the realignment of the A693 has set Lintz Terrace and the adjacent public house partially back from the main highway, this cluster of buildings retains a strong orientation fronting onto the residual road line of the original highway. Within this context the proposed dwelling would appear as incongruous tandem development located in the detached ancillary garden area to the rear of the terrace. The awkward arrangement of the dwelling to the rear of an existing garage for a neighbouring property would add to this incongruity.
5. I have had regard to the images of the proposal in appendix 4 of the appellant's statement. However, whilst the bulk and massing of the dwelling would be less than that of the nearby terrace and public house, it would still

¹ Appeal Ref: App/X1355/A/13/2209940

appear as a substantial detached building at odds with the immediate pattern of development. I saw that the proposed dwelling would be visually prominent in views from the extensive open space to the east and the nearby public footpath, as well as from the A693 albeit with some intermittent screening from trees.

6. I am mindful of the benefits arising from the proposal. The dwelling would add to the supply and mix of housing in the area, albeit to a very limited degree. The proposal would also generate employment and investment during the construction period, albeit to a very limited degree over a limited period of time. The dwelling would provide good access to services in the area and residents would add to the support for those services, although this would also be to a limited degree.
7. I have had regard to the properties at North Terrace referred to by the appellant. However, this area consists of established and extensive parallel terraces. I consider that this does not reflect the circumstances of the appeal proposal where a new single dwelling would be built to the rear of a much shorter terrace.
8. The appellant has also highlighted a recent decision by the Council where outline planning permission has been granted for a detached dwelling at 30 Pea Road. I have had regard to the information provided by the appellant relating to this application. However, the Council state that the circumstances of Pea Road are different due to matters including an extant dwelling at the opposite end of the terrace and the location of the application site next to a road which leads to sites in the wider area. The circumstances that applied to the Pea Road site are therefore not directly comparable to the case before me, which I have considered on its own merits. Furthermore, I consider that this does not represent inconsistency in decision making on behalf of the Council.
9. I therefore conclude that the proposal would harm the character and appearance of the area. It would therefore conflict with saved Policies HO5 and GDP1 of the Derwentside Local Plan 1997 which seek to ensure that tandem housing development is acceptable and appropriate to the existing pattern and form of development as well as being in keeping with the character and appearance of the area.
10. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR