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# Appeal Decision

Site visit made on 21 May 2020

**by A M Nilsson BA (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1 June 2020**

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**Appeal Ref: APP/X1355/W/20/3245141**

**Land North East of Shotton Lane, Shotton Colliery, Durham DH6 2RA**

- 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 Thomas Dolan against the decision of Durham County Council.
  - The application Ref DM/19/00005/FPA, dated 27 December 2018, was refused by notice dated 28 August 2019.
  - The development proposed is the erection of 6no. detached bungalows.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

3. The appeal site is located to the south-east of Shotton Colliery and forms part of a larger parcel of open space that lies between Shotton Colliery and the Bracken Hill Business Park in Peterlee. It is primarily grassland and is bounded to the south-west by Shotton Lane where there is also a substantial and dense hawthorn hedge. Along the north-west boundary runs a bridleway from which open views of the site are permissible. The remainder of the site is bounded by the wider area of open space of which it forms part. There are existing residential properties on the opposite side of Shotton Lane and also further along Shotton Lane on the other side of the bridleway.
4. The site forms part of the open countryside and serves to bring the rural edge right up to the boundary of the highway that runs through this part of the village. During my visit, I observed that Shotton Lane is not a heavily trafficked route. This, combined with the open nature of the site and its landscaping, contributes to the semi-rural nature of the surrounding area. Unlike the opposite side of Shotton Lane, which is predominantly developed with residential properties, the side on which the appeal site is located is, at this point, undeveloped, maintaining its open countryside form. Such undeveloped areas of land are positive characteristics of the area. This strengthens the significance of the site in providing a clear demarcation between the developed part of Shotton Colliery and the undeveloped part, where there is a clear and distinct separation with Peterlee and the nearby business park.

5. As the appeal site lies outside the developed area of the village, the proposed development would result in the village extending further into the open countryside. Despite being opposite existing residential properties, the development could not be considered to infill a gap in the village. The proposal would create an entirely new boundary to this part of the village and harm its open character, contributing to the urbanisation of the countryside.
6. Views from the bridleway and the interspersed gaps in the hedge on Shotton Lane are currently open. Due to its scale and physical presence, the proposal would remove this sense of openness and have a negative visual impact, with the development being highly visible from these key vantage points. The harm to the visual and spatial character of the footpath would be significant.
7. The proposal would result in the loss of a substantial amount of established hedge. Although the hedge could benefit from some maintenance, it positively contributes to the character and appearance of the area, delineating the rural to urban interface. It is of significant amenity value. Landscaping which could screen the proposed development would have an undesirable effect upon the current open views across the site, where its unnatural evolution would appear as a deliberate attempt to conceal the visual impact of the development.
8. Although the proposed development would not in itself directly result in the merger of settlements, such piecemeal erosion would cumulatively contribute to the dilution of an important buffer between settlements, which should be avoided.
9. The proposal would therefore have an unacceptable impact on the character and appearance of the area. It would be contrary to Policies 1 and 35 of the Easington District Local Plan (2001) which, amongst other things, seek to ensure that development reflects the character of the area and achieves a high standard of design and landscaping which relates well to the natural features of the site, the surrounding area and adjacent land uses.
10. The proposal would also conflict with paragraph 127 of the National Planning Policy Framework (the Framework) in relation to the requirement for developments to add to the overall quality of the area and be sympathetic to local character.

### **Other Matters**

11. The appellant contends that the proposal would achieve acceptable living conditions for proposed residents and would not harm the living conditions of existing residents. They also highlight that there would be safe and sufficient means of access with sufficient parking and pedestrian provision. Such matters are not in dispute. They do not overcome the harm that I have identified the proposal would have on the character and appearance of the area.

### **Conclusion**

12. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*A M Nilsson*

INSPECTOR