
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: 3 June 2020

Appeal Ref: APP/X1355/W/20/3245144

Land West of Fleming Field, Shotton, Co. Durham DH6 2JQ

- 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 James Anderson against the decision of Durham County Council.
 - The application Ref DM/18/02942/FPA, dated 27 September 2018, was refused by notice dated 7 January 2020.
 - The development proposed is 5no. detached houses.
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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 open grassland that is used for grazing and is located to the north of Shotton Colliery, on the western side of Salters Lane. The site is located opposite what appears to be a premises made up of commercial and residential uses. Like the appeal site, land to either side on Salters Lane is also open grassland, whilst to the rear of the site is land containing caravans, vehicles and other non-permanent paraphernalia. Beyond the appeal site is a large caravan storage facility and other residential properties, including a church and primary school.
4. The site is located in the open countryside on the periphery of Shotton Colliery at the entrance to the village. It has a dense hawthorn hedge along the majority of its boundary with Salters Lane which forms a prominent feature on the approach to the village. Salters Lane is a well-used route and forms one of the main roads into the village. When travelling northwards out of the village views across the site are relatively unobscured. Similarly, unobscured views are experienced when travelling southwards into the village. Such openness, and unobscured views at a key gateway site, are positive characteristics of the area.
5. Despite the presence of commercial and residential properties on the other side of Salters Lane opposite the appeal site, the site lies outside the settlement boundary of Shotton Colliery, which at this part of the village begins at

Larkspur House on the western side of the road and Bryncroft on the eastern side of the road. This is further evidenced by the termination of the footpath at Larkspur House on the western side of the road, the same side on which the appeal site is located.

6. As the appeal site lies outside the settlement boundary, the proposed development would result in encroachment into the open countryside. It would result in the development of an important area of open space at the entrance to the village that positively contributes to its character and appearance. Despite being opposite existing commercial and 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. The appellant has drawn my attention to recently completed housing to the north-east of the appeal site, however I do not have any further details of the background in relation to this development in order to give it significant weight. In any event, I have determined the appeal on its own individual merits.
7. There is some disagreement between the parties on whether the proposal would constitute 'ribbon development'. I find that such classification of the proposal is not pertinent to the main issue and it is not necessary for me to fall on either side of the argument in order to conclude on the main issue.
8. The proposed development of five large detached properties, each being two stories with accommodation in the roof space would, due to their scale and siting, have a significant and detrimental impact on the open landscape character of the site and have a negative visual impact overall. I do not consider that a landscaping scheme would satisfactorily mitigate the harm that would be caused, as the development would still be highly visible and result in the removal of the positive characteristics I have identified.
9. 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 on this approach into the village. It is of significant amenity value and its removal contributes to the harm caused by the development.
10. 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.
11. 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

12. The appellant contends that the proposal would achieve acceptable living conditions for proposed 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, although I would question the suggestion that

the lack of a footpath leading to the site on this side of Salters Lane would represent a safe and sufficient means of access for pedestrians. In any event, these matters do not overcome the harm that I have identified that the proposal would have on the character and appearance of the area.

13. The appellant considers that the proposal accords with paragraph 180 of the Framework. This paragraph relates to ensuring that new development is appropriate for its location taking into account the likely effects of pollution as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Such effects are not in dispute or pertinent to the main issue. I do not consider that the lack of harmful effects in relation to pollution overcomes the harm that I have identified the proposal would have on the character and appearance of the area.

Conclusion

14. 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