



Appeal Decision

Site visit made on 23 June 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2020

Appeal Ref: APP/X1355/D/20/3250387

**Garden Cottage, Road Between Stonebridge Inn And Agriculture House,
Stonebridge DH1 3RY**

- 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 A Blair against the decision of Durham County Council.
 - The application Ref DM/19/02816/FPA, dated 3 September 2019, was refused by notice dated 6 February 2020.
 - The development proposed is Erection of triple detached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Upon site inspection it was clear that works have commenced to erect a triple garage on site.

Main Issue

3. The main issue is whether or not the development is inappropriate development within the Green Belt and whether or not the proposal has an effect on the landscape character.

Reasons

4. The appeal site is located within the Green Belt and within an area identified as an Area of High Landscape Value. Garden Cottage originates from around 1898 and is identified by the Council as a non-designated heritage asset. However, in accordance with the requirements of the assessment of the proposal under the National Planning Policy Framework (the Framework) paragraph 197, there are no concerns raised by the Council's Design and Conservation consultee in respect of harm to the heritage asset. I do not dispute their findings.
5. Garden Cottage has an extant planning permission¹ for extensions to the dwelling including the erection of a detached double garage. Whilst the extensions to the dwelling appears to be substantially complete, a garage has been partially erected on site to approximately eaves level.
6. The Framework makes clear that inappropriate development is by definition, harmful to the Green Belt, and should not be approved except in very special

¹ DM/18/00119/FPA

circumstances. However, the Framework permits certain exceptions to allowing the construction of new buildings within the Green Belt under paragraph 145. This includes, amongst other exceptions, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The Council's City of Durham Local Plan 2004 (LP) 'saved' Policy E1 is in general accordance with this paragraph of the Framework.

7. Garden Cottage has undergone substantial extensions and alterations that were deemed to be acceptable by the Council and was not inappropriate development as it did not represent a disproportionate addition over and above the size of the original dwelling. Therefore the proposal complied with both LP Policy E1 and paragraph 145 c) of the Framework. The effect on the openness of the Green Belt is not a consideration therefore.
8. However, it is the difference in opinion between the two parties as to whether or not the triple garage, as proposed, would, when taken in combination with the previous additions to the original building, result in a disproportionate addition.
9. This garage would be detached and positioned adjacent but set slightly forward of the front building line of the host dwelling with a 'Dog Room' to its rear. The garage proposal would be smaller in size of approximately 78.1m² to that already approved by the Council at approximately 87.8m², albeit the ridge height would be higher.
10. Based on the previous approval, the extension, taken cumulatively with the additions to the main dwelling, I am of the view that this combination would not result in disproportionate additions to the dwelling. The proposal would therefore comply with the LP Policy E1 and paragraph 145 of the Framework.
11. The Local Plan defines this area as an area of High Landscape Value. Policy E10 of the LP aims to protect the landscape value of the district and to resist development that would have an adverse impact on landscape quality; and seeks development to respect the character of its landscape setting.
12. Garden Cottage is a traditional cottage set back from the road positioned in a setting of large gardens with a backdrop of mature landscaping. The absence of much built development surrounding the site on this side allows its rural setting to be visually appreciated.
13. There is a considerable difference in the design of both garages, and therefore this would have an effect on the character of the landscape. The proposed width to the front of the triple garage would be substantially wider than the approved double garage, with an increased height to ridge by approximately 1.8m, together with a more bulky appearance to the roof form with the ridge line proposed to run in an east-west direction, further highlighting its bulk.
14. A triple garage of the scale, massing and layout, set forward of the front building line of the host dwelling, would appear visually dominant in this location. It would appear out of character in this rural setting, and harmful to the overall landscape value of the area.
15. On this basis, whilst the proposal would be in accordance with LP Policy E1 as well as Framework paragraph 145 c) it would however not meet the aspirations of Policy E10 to respect the character of its landscape setting.

Other Matters

16. Although roof materials may differ for the appeal proposal, nevertheless, the materials have already been agreed as part of the previous permission, and deemed to be acceptable by the Council, and is not for me to comment upon further.
17. I know of no reason to prevent the appellant from exercising the permitted development rights at the site and, should the appeal be allowed, other structures together with the triple garage could also be erected under permitted development. However, even if the fall back position were explored by the appellant, there would remain specific size limitations, including height, to any detached building that would benefit from permitted development. Nevertheless, whilst I am aware of the fall back position, no information has been presented to enable a comparison of potential harm to be made, and in any event, I have assessed the proposal based on the information before me.
18. As this proposal is not inappropriate development within the Green Belt in accordance with Framework paragraph 145, no very special circumstances are involved.

Conclusion

19. Whilst I do not find the proposal to constitute inappropriate development within the Green Belt, I am of the view that harm would arise to the landscape value of the area and for this reason, the appeal is dismissed.

Alison Scott

INSPECTOR