



Appeal Decision

Site visit made on 14 September 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 October 2021

Appeal Ref: APP/X1355/W/21/3276610

22 Tollgate Road, Hamsterley Mill, Rowlands Gill NE39 1HF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Raj Babuta against the decision of Durham County Council.
 - The application Ref DM/20/03218/OUT, dated 26 October 2020, was refused by notice dated 24 March 2021.
 - The development proposed is two storey, 4 bed, detached dwelling house with double garage.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The application submitted was in outline with appearance reserved for future consideration. Proposed site, front elevation, section, ground and first floor plans have been submitted which are illustrative of the appellant's intentions for the proposed dwelling. I will proceed on this basis.
4. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Main Issue

5. The effect of the proposal upon the character and appearance of the host property and surrounding area.

Reasons for the Recommendation

6. No.22 is a large two-storey detached dwelling which is set within an extensive plot towards the end of Tollgate Road in Rowlands Gill. The surrounding area is residential, and the character of the area is derived from large, detached dwellings which have expansive green amenity spaces either in width or depth. This gives the appearance of a neat, unified street scene with a soft landscaped quality.
7. The proposed new dwelling would be located in the area which comprises the grassed lawn within the curtilage of no. 22. It is proposed to divide the plot into two. This would result in the loss of some of the green area which is an important feature adding to the soft landscaped appearance of surrounding area.
8. By virtue of its position at the western end of Tollgate Road bounded by a wooded area, no.22 benefits from this large green amenity space to the side that also provides a significant enhancement to the character of this part of the area. The loss of this visually pleasant green area would result in a much smaller plot with smaller garden that would be at odds with the established character of the area. It would be detrimental to the appearance of the street scene as a result.
9. The appellant contends that there are smaller houses and bungalows in much smaller plots and sited closer together in the area. However, they have not given any specific examples that would be comparable to the appeal proposal. On my visit to the site, I did observe that there are some properties that sit close to the site boundaries and are close to each other. However, what these plots lack in width, they make up in extended depth. In contrast, the proposed development would have a smaller plot in depth and width. Moreover, the proposed dwelling would be viewed in the context of its immediate surroundings and the closest properties generally benefit from a wide frontage, including No. 22 and those directly opposite.
10. By virtue of the smaller plot size, the proposed dwelling would not relate with any properties in the immediate area. Whilst the precise appearance has been reserved for future approval, from the information presented, I am of the view that a four-bedroom dwelling would appear hemmed in and cramped by comparison. Thus, it would not reflect the character of the surrounding area. I recognise that good design does not always entail replicating neighbouring development. However, as set out above, the scale of properties in the area, allied to mature landscaping is a critical element in creating an attractive residential environment. The proposed dwelling would not be of a similar scale to the surrounding properties and would not be set on a decent sized plot. Thus, it would contrast awkwardly with the established pattern and would be an incongruous addition which would be visually harmful and detract from the character of the area.
11. Taking all the above points together, I find that the scale of the proposed two storey, 4 bed, detached dwelling would harm the character and appearance of the host property and the surrounding area. Accordingly, there would be conflict with the aims and objectives Policies 6, 29 and 39 of the County Durham Plan (2020) and the National Planning Policy Framework (2021). These seek amongst other things to ensure that development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are within the built-up

area are appropriate in terms of scale, design, layout, and location to the character, function, form and setting of the settlement.

Other Matters

12. I recognise that the proposal would provide an additional house in a location where new housing development has been considered acceptable in principle by the Council. However, the social and economic benefits associated with a single dwelling are limited on account of the scale of development and attract limited, albeit positive weight in favour of the proposal.
13. I have noted comments from interested parties in relation to other matters such as tree removal, precedent of new development and highway safety. The Council has raised no objection on those grounds, and I see no reason to take a different view on the information before me. The Council does not allege that any unauthorised works have taken place to trees and remaining trees could be protected during the course of development by appropriately worded conditions if the development was permitted.
14. Whilst the lane is narrow, traffic is light, and speeds are unlikely to be substantial. Consequently, there is nothing to indicate that the traffic associated with a single dwelling would be unduly detrimental to highway safety. All proposals must be considered on their individual merits and, even if permission were to be granted, it would not follow that other development, in different locations and contexts, would be approved. In relation to concerns over sewerage and drainage, I am mindful of correspondence with Northumbrian Water, provided by the appellant and see no over-riding issues that could not be adequately addressed through the imposition of conditions to secure appropriate methods of disposal and drainage. Accordingly, those matters do not add to my concerns in relation to the main issue.

Conclusion and Recommendation

15. Whilst the proposal would bring small economic and social benefits through the provision of new housing those matters do not outweigh the harm that would arise to the character and appearance of the area and the associated conflict with the development plan.
16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

Chris Preston

INSPECTOR.