



Appeal Decision

Site visit made on 23 August 2022

by David English BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th September 2022

Appeal Ref: APP/X1355/D/22/3302849

The Coach House, Derwentcote Farm, Derwentcote Farm Road, Hamsterley Colliery, Durham, NE17 7RR

- 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 Dr Ahmed Kaaki against the decision of Durham County Council.
 - The application Ref DM/22/01060/FPA, dated 7 April 2022, was refused by notice dated 30 June 2022.
 - The development proposed is two storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is an extended house created in part through the conversion of former farm buildings. The house is constructed in stone with a slate roof having a principal two storey element which fronts into, and forms the focus of, what appears as a courtyard arrangement. Subservient lower two-storey and single-storey projections are attached to and cascade down from the main house. A detached garage appears as one of the enclosing limbs to the courtyard, the other being the lower two-storey projection. Glazed extensions have been added to the side and rear of the house. The building as a whole is relatively large, and it is set within large gardens, but it comprises a well-proportioned mix of visually pleasing and architecturally congruent elements exhibiting mostly common detailing.
4. While the house is set back some distance from the main road from which vehicular access is taken, it is visible from the footway running alongside the north side of that road. The house is visible from a public right of way which I noted on my site visit passes close by. The house can also be seen from the neighbouring property Derwentcote Farmhouse.
5. A single-storey side extension linked to the main house through the glazed extensions was nearing completion at the time of my site visit. This appears to be the extension for which planning permission was recently granted (Council ref. DM/21/01000/FPA). It is positioned on the footprint of the proposed two-storey extension.

6. Although dimensions of the existing main two-storey element of the house are not shown on the plans before me, it is evident the proposed extension would be significantly longer and substantially wider than that part of the main house. Whilst it would be linked to the main house via the single storey glazed extensions, it would effectively appear as a large separate building having no physical relationship at first floor level with its host building. The proposed extension would not appear as a subservient addition to the host building. The intention to keep the roof ridge at the same height as the main house would do little to limit this impression. The shallower roof pitch and the fenestration, neither of which reflect design details found in the main house, comprise significant differences that would distinguish the extension from the main house rather than bind the two together.
7. The appellant indicates these differences are a deliberate design solution that better suits the context of the development, and the property as a whole, and that this accords with design policy set out in the National Planning Policy Framework ('the Framework') which supports appropriate innovation or change. I note that while the proposal would result in change, the relevant part of the Framework requires development to be sympathetic to local character, which this extension would fail to do. The County Durham Plan Residential Amenity Standards Supplementary Planning Document (2020) ('the SPD') provides further relevant local guidance which expects house extensions to be subordinate structures that are sympathetic to the host property and the character and appearance of the area. The extension would not meet this guidance.
8. The dominant mass, scale, and the discordant detached appearance of the proposed extension at first floor level, and its external appearance, when seen in context, would not constitute good design and would be incongruent. The design would not be particularly innovative, and it would not be subordinate to or sympathetic with the host property. This would result in harm being caused to the character and appearance of the host building and to the area. The proposal would therefore conflict with Policy 29 of the County Durham Plan (2020) which requires all development to achieve well designed buildings and that residential extensions should be sympathetic to the existing house and the character and appearance of the area. The proposal would also conflict with the Framework and the SPD in these regards.

Other Matters

9. I recognise, for the reasons explained by the appellant, that additional space created in the extension would be of benefit to him and his family. I also recognise that the different living arrangements described by the appellant do occur in differing cultures, particularly in regard to larger accommodation being needed to house extended families. The provision of larger accommodation would be of benefit in meeting such needs now and in the future. I note the economic benefits referred to by the appellant in terms of those businesses involved in building the extension. However, this would be relatively limited and short-lived and these benefits carry limited weight.
10. Reference is made by the appellant to fallback positions involving permitted development rights. Given that the single storey extension is nearing completion this would effectively prevent the viable construction of the detached building which benefits from a certificate of lawfulness in largely the

same position. The appellant contends that the proposed extension should be likened to airspace permitted development. However, those forms of development are very different and bear little comparison to the extension proposed. In any event, as the appellant acknowledges, those rights apply to the creation of new dwellings, and I note they are subject to other design limitations and approvals processes. There are no details before me that demonstrate any realistic fallback position to which I could attribute weight.

11. The appellant has provided details of a recent development comprising an extension to a nearby house on Forge Lane (Council ref. DM/20/00183/FPA). Whilst I recognise that proposal involves the addition of substantial space over two storeys, I find there to be significant differences with the proposal before me in respect of the scale of development and the relationship with respective host buildings such that little comparison can be drawn regarding their effects.
12. The appellant indicates that, for planning policy purposes, the house and its garden comprise previously developed land. Various development plan policies, the Framework and case law are cited to support this position and to demonstrate the importance of making effective and efficient use of land. I recognise that this is the case, but also note that the generality of policy in this regard concerns the delivery of additional housing, which is not the purpose of the proposal before me. Identification of the site as previously developed land does not weigh in favour of the proposed extension. The matters raised by the appellant and the benefits arising from the development would not outweigh the specific harm that would be caused by the development.
13. I note the proposed development is within the setting of a listed building and, because of the distance between the listed building and the proposed development, the Council find no harm would arise to its setting. I see no reason to consider otherwise.

Conclusion

14. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

David English

INSPECTOR