



Appeal Decision

Site visit made on 5 September 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2023

Appeal Ref: APP/X1355/D/23/3325365

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 of Dr and Mrs Ahmed Kaaki against the decision of Durham County Council.
 - The application Ref DM/23/00214/FPA, dated 26 January 2023, was refused by notice dated 18 April 2023.
 - The development proposed is first floor extension with balcony.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area, including the appeal property.

Reasons

3. The appeal site accommodates a large, previously extended two storey detached dwelling set within a generous plot. It is adjacent to buildings and land associated with the keeping of horses and there is a neighbouring detached dwelling. The site lies within open countryside that has been designated an Area of High Landscape Value. The surrounding area has a predominantly rural character and appearance, comprising agricultural fields with sporadic buildings. This creates a spacious and open character.
4. The proposal comprises a first floor extension and balcony to the side of the appeal property, above an existing ground floor extension. The footprint of the property would remain the same, and the extension would have a lower ridge height than the original property. However, the overall scale and design of the side extension would draw the eye and would not assimilate with the appeal property. Even taking into account the balcony element of the proposal, the first floor element would be of considerable length which would result in an unduly dominant built form that would not relate positively to the scale and form of the original property or the open character of the area.
5. The appellant indicates that the height and built form of the proposal has been reduced from another scheme at the site that was dismissed at appeal. Nonetheless, the first floor addition would be detached from the main section of the appeal property, despite the ground floor being physically linked. Owing to the proposed scale and mass, this would result in the development appearing as a separate building that would not sit comfortably with the open countryside

location, eroding the prevailing character and appearance. As such, the roof design would not appear as an interesting feature.

6. Despite the use of good quality sustainable materials to match the appeal property, the proposal would not offer visual continuity, and owing to its prominent built form would instead be read as a competing feature. This would be contrary to the advice set out in the Residential Amenity Standards Supplementary Planning Document (2023) (SPD) which states that house extensions should be subordinate to the host dwelling.
7. The proposed development would be readily visible from the nearby Public Right of Way (PROW) and in views from the neighbouring dwelling. Even if the extension in its entirety would not be experienced from the PROW, the proposal would stand out as being visually incongruous. While I note that the proposal would offer an element of symmetry with the appeal property from views to the north and south, the additional bulk on top of the existing ground floor side extension would not improve the appeal property and would not appear more in keeping with its surroundings.
8. While the appellant has relied upon the Council's conclusions on the effect of a previous scheme to suggest there would be no significant or visual effect from the appeal scheme, I note that the previous scheme was for a single storey extension, whereas the appeal scheme is for a first floor extension that extends almost the full width of the existing ground floor extension. In any event, I have reached my own findings based on the circumstances of the present case.
9. For the reasons given, the proposal would be unacceptably harmful to the character and appearance of the area, including the appeal property, in conflict with Policy 29 of the County Durham Local Plan (2020). This policy, amongst other things, requires proposals to achieve well designed buildings that contribute positively to an area's character and should ensure that extensions and alterations are sympathetic to the existing building. The proposal is also contrary to the design principles for house extensions set out in the SPD, and contrary to the provisions of the National Planning Policy Framework (the Framework) in part 12 which seeks well designed places.

Other Matters

10. The proposal would provide additional accommodation for existing and future occupiers to meet cultural heritage needs in accommodating extended family. However, this benefit would be largely private and has not influenced my decision. While there would be economic benefits in the generation of construction jobs, this is of limited weight owing to the scale of the proposal. The proposal would make efficient use of land, would not have an unacceptable effect on neighbouring occupiers living conditions and would not obstruct the nearby PROW. However, policy compliance on these matters and compliance with other policies would be a neutral factor and would weigh neither for, nor against the development.
11. The appellant makes reference to the presumption in favour of sustainable development from the Framework. However, there is no substantive evidence to suggest that the approach set out in Paragraph 11(d) should be applied in this particular case. The decision should be made in accordance with the development plan unless material considerations indicate otherwise.

12. There is a Grade II listed building nearby to the appeal site, known as Derwentcote Lodge. Neither of the main parties have concerns regarding the impact of the development on the significance of this designated heritage asset and its setting. Having considered the proposal and visited the site, I concur with that view and find that the development would preserve its significance.

Conclusion

13. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that have been shown to have sufficient weight to warrant a decision otherwise than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

F Harrison

INSPECTOR