



Appeal Decision

Site visit made on 15 March 2024

by Geoff Underwood BA(Hons) PGDip(Urb Cons) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10 May 2024

Appeal Ref: APP/X1355/D/24/3336294

Phoenix House, East Street, Stanley, Co Durham DH9 0UE

- 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 Mrs Laurie Miller against the decision of Durham County Council.
 - The application Ref DM/23/02370/FPA, dated 1 August 2023, was refused by notice dated 26 October 2023.
 - The development proposed is rendering of house to white.
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Decision

1. The appeal is allowed and planning permission is granted for rendering of house to white at Phoenix House, East Street, Stanley, Co Durham DH9 0UE in accordance with the terms of the application, Ref DM/23/02370/FPA, dated 1 August 2023, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans and specifications: Location Plan; Site Plan; drawing No 23/65 – 101; and, render specifications.

Preliminary Matter

2. The description of development in the heading above and my decision is taken from the application form, albeit I have omitted superfluous wording that is not a description of development.

Main Issue

3. The main issue raised by this appeal is the effect the proposal would have on the character and appearance of the area.

Reasons

4. Phoenix House is a brick building set on rising ground where East Street follows a broad sweep around a corner giving it a degree of prominence in the streetscene. Two phases of development of the house are evident from the slightly different shades of brick colour as well as contrasting bricks displayed on lintels and a string course. Whilst this is not unsightly, it gives the exterior of the building a somewhat awkward appearance at close quarters.
5. The buildings either side of the site are of different sizes, configurations and appearance, both with different brick colours. The dwellings farther along the

frontage in either direction, although predominantly of brick, also display a variety of configurations and brick colours, with the stone Sneep Cottage presenting a noticeable rendered side elevation to its garage. The prominent Hill Top pub opposite has extensive areas of light coloured rendered walls. Although in a different use to, and is set apart from, other buildings in the immediate vicinity, the pub nevertheless forms part of the townscape and built context within which Phoenix House is seen.

6. There is little consistency or harmony in either building configurations or external wall finishes and colours of buildings in the vicinity of the site. The proposed render finish would be of a different texture to most of its neighbours. The white colour would change the appearance of the building and make it stand out within the street. However, set within the variety of different designs and configurations of houses and bungalows, themselves displaying a variety of finishes, this would not be a harmful contrast. The dwelling would not appear incongruous as a result.
7. The proposal would consequently accord with County Durham Plan, 2020 Policy 29's sustainable design requirements. Similarly, it would accord with the National Planning Policy Framework's (the Framework) design policies. Whilst the proposed materials would clearly not reflect that of the host property, the Council's Residential Amenity Standards Supplementary Planning Document, 2023 largely relates to extensions and the proposal does not fall into any of the householder development categories it deals with. Any conflict in that respect would not weigh materially against the proposal. Although not matching them, the materials would respect the varied characteristics of the surrounding streetscape. The development would accord with that aspect of the guidance.
8. In the Longdean Park appeal decision¹ the Council have referred to, that dwelling was set in what the Inspector noted were *similar styles of properties* that resulted *in a consistent and harmonious character and appearance*. In the Callender appeal decision² it was noted that a particular brick colour was characteristic of the area. The same cannot be said of Phoenix House's situation which is not within a street or estate of similar buildings finished with largely comparable materials. These appeal decisions relate to clearly different circumstances and do not consequently suggest that the proposal would be unacceptable. Indeed illustrate that the established configuration and materials of buildings in an area is an important consideration.

Conditions

9. A condition specifying the approved plans gives certainty to all parties.

Conclusion

10. The development would not harm the character and appearance of the area. It would accord with the development plan considered as a whole, and the Framework, and would not conflict with Council guidance considered overall. The appeal is therefore allowed.

Geoff Underwood

INSPECTOR

¹ APP/X1355/D/23/3314570.

² APP/X1355/D/22/3291815.