



Appeal Decision

Site visit made on 20 August 2024

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd September 2024

Appeal Ref: APP/X1355/W/24/3344800

Land to North of Pasture Row, Eldon DL14 8UZ

Easting (x): 423567 Northing (y): 527741

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Shaun Downey against the decision of Durham County Council.
 - The application Ref is DM/23/01088/OUT.
 - The development proposed is described as *"outline planning for 2no bungalows on land adjacent to Office Row, Eldon"*.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Only the Easting and Northing co-ordinates and the postcode of the appeal site were used for the address on the planning application form. The appellant has described the appeal site variously in documents submitted with the appeal. I have therefore adopted the descriptive address used on the appeal form and the Council's decision notice in my banner above. I have also included Easting and Northing co-ordinates for clarity.
3. The application has been submitted in outline form with all matters reserved for subsequent consideration. A drawing which includes details of layout and access has been provided with the appeal. However, as all matters are reserved for future consideration, I have therefore treated it as illustrative, and I have determined the appeal on this basis.
4. The Government published a revised National Planning Policy Framework (the Framework) in December 2023. Subsequently, a consultation draft for a revised Framework has been published, whilst this may for a material consideration in the determination of the appeal it does not change the planning policy context in respect of the main issues, and I have determined the appeal accordingly. For the avoidance of doubt, I shall refer to section and paragraph numbers in the December 2023 version of the Framework where necessary.

Main Issue

5. The main issue is whether the appeal site is a suitable location for the proposed development having regard to local and national policies and access to services and facilities.

Reasons

6. The appeal site is a parcel of land formed of a portion of grassed paddock to the northeast of the village of Eldon. It is bound by Office Row to the west and Pasture Rows to the south. An industrial compound lies a little further away from the appeal site to the east along the C34 separated by the remainder of the field. A public right of way (PROW) runs through the paddock between the C34 and the corner of Pasture Rows and Office Row. The village of Eldon is characterised by rows of terraced properties.
7. The appeal site is currently in use as a grazing paddock and is bounded by a hawthorn hedge and hedgerow trees. Although it consists of poor-quality grazing pasture, it has a pleasing rural character and appearance on the approach to the village.
8. Policy 6 of the County Durham Plan (CDP) sets out the Council's spatial strategy for residential development on unallocated sites and directs development to land within the built-up area or to sites which are well related to a settlement subject to the satisfaction of several criteria. This policy is intended to ensure that housing is developed in areas which are accessible and sustainable.
9. Despite the appeal site being physically located close to other residential development. The proposal for two bungalows in this location would be at odds with the prevailing form of development and thus would appear out of keeping with the surrounding development. Although the proposal would be viewed within the context of the surrounding terraces, it would appear out of keeping with them. Consequently, the proposed development would not be well-related to this part of Eldon village.
10. Given my conclusions on the above, the proposal would represent development in the open countryside and, therefore, CDP Policy 10 would also apply. The proposal would not meet any of the exceptions set out in that policy.
11. Although the indicative plans show some landscaping around the perimeter of the site is proposed, which may enhance biodiversity in the area, and in time may provide some screening of the development. This is a matter reserved for future consideration and is therefore subject to change. Nevertheless, the harm to the prevailing landscape character that I have found would be unlikely to be overcome by the provision of landscaping as part of a detailed proposal for the site.
12. Facilities and services in Eldon are extremely limited. They include a community centre. Shops and other services are located further afield in Shildon. It is therefore highly likely that shops and services providing day-to-day needs of future occupiers would be located elsewhere. Bus stops are located on Eldon Bank. I have not been provided with information as to the destination or regularity of any of the services from the bus stops. In the absence of detailed information of bus services from the bus stops I cannot conclude that anything other than significant car dependency is likely to access shops and services further afield.
13. For these reasons, I conclude that the appeal site is not a suitable location for the development proposed, having had regard to the development plan and national planning policy. The principle of the proposed development would be

unacceptable and would conflict with CDP Policies 6, 10, 21, 29 and 39 which seek to ensure that development is located in areas which require that development on unallocated sites is appropriate in terms of the character, function, form and setting of the settlement, contributes positively to, amongst other things, an area's character, identity, heritage significance and landscape features and is accessible to sustainable modes of transport. Conflict also arises with the aims of the Framework in achieving well-designed development in sustainable locations.

Other Matters

14. A community centre is located on open land between Office Row and Eldon Bank, which the appellant claims is similar to the proposal before me. I do not know the history of the community centre. Nevertheless, this is a community facility which would have been subject to consideration under different development plan policies than the residential development, which is the subject of this appeal.
15. Evidence before me suggests that the appeal site may have contained some development associated with the former coal mine operations at Eldon Colliery. Nevertheless, the definition of previously developed land set out in the Framework specifically excludes land that has been developed for minerals extraction or last occupied by agricultural uses.
16. I also note that the appellants land includes two public rights of way, one of which is inaccessible due to lack of maintenance, and the other is accessed via a stile directly from a highway with no pavement. The appeal site would also be capable of accommodating parking for several cars and therefore would not contribute further to on street parking in the area. These matters carry little weight to overcome the harms that I have found on the main issue.
17. I acknowledge that planning permission has been granted for a large development of residential development at Auckland Park, a few miles away from the appeal site. I do not have the full details of that development before me. However, a development of several hundred houses is likely to deliver more benefits to the local economy and housing supply than that of the proposal before me, which I have considered on its own merits.

Planning Balance and Conclusion

18. The proposal would provide an additional two units of accommodation. This would amount to a negligible contribution to housing supply locally. There would be some economic benefit from occupiers of the dwellings supporting facilities and services in the area and whilst there would also be some economic benefit from construction employment, it would be short-lived. The harm that I have found on the main issue would not be outweighed by these benefits.
19. There are no material considerations, including the Framework, worthy of sufficient weight, that would warrant taking a decision otherwise than in accordance with the development plan taken as a whole. The appeal is therefore dismissed.

KL Robbie

INSPECTOR