



Appeal Decision

Site visit made on 28 July 2025

by **L Clark BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8 September 2025

Appeal Ref: APP/X1355/W/25/3365731

Land West of Moor House Farm, Durham Lane, Easington, Durham SR8 3UL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Colin Miller against the decision of Durham County Council.
 - The application Ref is DM/23/02009/FPA.
 - The development proposed is change of use of land to allow for the siting of 10no. camping pods and up to 10no. touring caravans and the erection of a shower and toilet block.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Colin Miller against Durham County Council. This is the subject of a separate Decision.

Preliminary Matters

3. I have taken the description of development from the appeal form and decision notice. This is a more accurate description of development than that given on the application form and ensures that it captures the scope of the proposal.
4. Within the evidence, the appellant refers to the Council's failure to determine their application for planning permission. However, the appellant has submitted a decision notice which states planning permission was refused for the proposed development on 28 March 2025. Given that the Planning Appeal Form is dated 15 May 2024 and the Council has made a decision, I have dealt with the appeal based on a refusal to grant planning permission.
5. The National Planning Policy Framework (the Framework) was revised in December 2024 with further minor updates in February 2025. Given that the paragraphs most pertinent to this appeal are unchanged other than their numbering, neither party is prejudiced by a lack of consultation on the revised Framework.

Main Issues

6. The main issues are:
 - Whether visitors to the proposed development would have reasonable access to services and facilities by means other than by car; and,
 - The effect of the proposed development on the character of the countryside.

Reasons

Accessibility

7. The appeal site consists of a green field in the open countryside. The appellant states that it is located approximately 1.3km west of Easington Village, approximately 630 metres from the northern edge of the Northwest Industrial Estate in Peterlee and approximately 2.1 km southeast of Haswell. It is accessed via Durham Lane (the B1283), which is subject to a national speed limit. I saw that the B1283 had no footpaths or lighting for significant sections and that the appeal site occupies an isolated position within the countryside.
8. Policy 8 of the County Durham Plan 2020 (CDP) relates to visitor accommodation. Criterion 8 f) of the CDP states that proposals for visitor accommodation in the Countryside will be supported where it demonstrates clear opportunities to make its location more sustainable.
9. Policy 10 of the CDP relates to development in the countryside and sets out in the first instance that development will not be permitted unless the proposal relates to one or more exceptions, including the General Design Principles for all development in the Countryside. The General Design Principles state that new development must accord with all other relevant development plan policies, and by virtue of their siting, scale, design, and operation must not, amongst other matters, be solely reliant upon unsustainable modes of transport, and that new development in countryside locations that is not well served by public transport must exploit any opportunities to make the location more sustainable, including improving the scope for access on foot, by cycle or by public transport – Criterion P.
10. Policy 21 of the CDP relates to delivering sustainable transport and sets out that all development shall deliver sustainable transport by, amongst other matters, criterion b. providing appropriate, well-designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities, together with existing routes for the convenience of all users.
11. The appellant contends that a major cycle route is within approximately 400m of the appeal site. Submitted plans show that there would be a number of cycle parking spaces within the proposed development. However, despite the proximity of the cycle route, photographs within the appellant's Design and Access Statement show that access to it from the B1283 is via an informal route, which is muddy and vegetated and incorporates a slope. Given this is the only access I have been directed to, cyclists would be unlikely to, in my mind, use this route. Therefore, despite the proposed development providing cycle parking, it would do little to promote access to nearby trails or encourage low-impact transport.
12. With regard to walking, the appellant states that Shotton Colliery is approximately 1 mile from the appeal site via the Public Right of Way (PROW). Whilst I saw that the PROW is conveniently located opposite the entrance to the appeal site, the distance to Shotton Colliery is not, in my mind, reasonably close. Furthermore, from the evidence, the footpath link to Easington is dissected by the A19. These factors would likely result in the pedestrian routes from the site to services being unattractive to visitors.

13. I acknowledge that visitors would more than likely drive to the site given the nature of its use and the type of accommodation provided, and changes to public transport services ultimately fall outside the appellant's control. However, there is no substantive evidence before me to demonstrate that the appellant has engaged with any public transport operator to explore the introduction of a bus route or reroute an existing service. Furthermore, there is also no evidence to demonstrate how the 'shuttle service' would operate, or a mechanism before me that would secure it in perpetuity. As such, it has not been demonstrated that all opportunities have been explored to make the location more sustainable. Therefore, given its location, together with my findings with regard to walking and cycling, it is highly likely that visitors would be heavily reliant upon private vehicles to access services and attractions.
14. I accept that the proposed development would support tourism within the countryside, that the site has access to Durham City centre and Durham Vale, and submitted plans show that there would be a number of EV charging bays within the proposed development; however, it fails to demonstrate that visitors could use sustainable modes of transport.
15. The appellant has drawn my attention to an appeal at Old Quarrington¹ which the Council has provided a copy of the Appeal Decision². Whilst I cannot be certain when the Council refused that planning application, it has been demonstrated that the Council informed the appellant (email 62) of the decision, and that this decision would form a material consideration in the assessment of their planning application. Given that this Appeal related to a similar proposal and had similar main issues, I agree with the Council that the Inspector's findings were material to its assessment.
16. With regard to the above appeal decision, I consider the proposed development is similar to the appeal before me in that visitor accommodation is being sought. With regard to this main issue, the Inspector found that there was a bus stop approximately 780 metres from the site, with an hourly service between approximately 07:00 and 19:00, and that there was a footpath to the eastern boundary of the site. However, despite these options, the Inspector dismissed the appeal, finding that there would be notable impediments to people using them. In particular, with regard to accessing the bus stop and the nearest shop on foot.
17. With regard to the appeal before me, I saw no bus stops close to the appeal site and nor were there any footpaths, with the only pedestrian link being the PROW to the opposite side of the B1283. I accept that this PROW does provide one sustainable option; however, in contrast, there are, in my mind, far fewer options available for visitors to access the appeal site than in the case of Old Quarrington. Whilst I have reached my own conclusions on the appeal, based on the evidence before me and observations on site, my conclusion on the main issue is consistent with that decision.
18. The appellant has also drawn my attention to a number of approved developments which they consider comparable. However, I have limited details relating to these cases. With regard to Land to the South of Longedge Lane³, the Council contends that this was approved in October 2020 and was determined against the

¹ DM/23/02211/FPA

² APP/X1355/W/24/3347553

³ DM/20/01201/FPA

Derwentside District Local Plan. With regard to West Hall Cottage, Norburn Lane⁴, this sought a change of use of an existing building which the Council considered made a positive contribution to the character and appearance of the area, and involved a site that was already a visitor destination following the approval of 6No. glamping pods⁵. With regard to Meadow Farm Caravan Park, Ramshaw Lane⁶, the Council states that this was a part retrospective application which effectively augmented a planning permission granted in 2015 on the site for, amongst other matters, camping and touring caravans. With regard to the presence of nearby holiday cottages (Durham Country Cottages), the Council contend that these were approved in 2016⁷. From the evidence before me, despite their similarities, I cannot be certain that the circumstances are directly comparable to the proposals before me, which I have assessed on their own merits.

19. For the reasons given above, I conclude that the proposed development fails to demonstrate that visitors would access services and facilities by means other than by car. Accordingly, there would be conflict with Policies 8 f), 10 p) and 21 of the CDP, which collectively seek new development to demonstrate clear opportunities to make its location more sustainable. There would also be conflict with Part 9 of the Framework, which seeks to ensure that development gives priority first to pedestrian and cycle movements and, so far as possible, to facilitating access to high-quality public transport.

Character of the countryside

20. Policy 10 criterion l) of the CDP requires that development in the countryside does not give rise to unacceptable harm to the intrinsic character, beauty or tranquillity of the countryside, either individually or cumulatively, which cannot be adequately mitigated or compensated for.
21. Policy 39 of the CDP states that proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects.
22. When travelling along the B1283, I saw that the ground levels were undulating and that the appeal site was predominantly screened by the buildings associated with and close to Moor House Farm when travelling from the junction with the A19. However, from the west, given its location close to the brow of a hill and adjoining fields have predominantly low field boundaries, it was visible.
23. The proposed development would comprise a number of single-storey detached buildings, which include a shower and toilet block set approximately to one side of the green access road, and 10 glamping pods. The materials would be predominantly timber cladding with a mix of standing seam and green roof, each with solar panels. A further 10 touring pitches for caravans would be behind the shower/toilet block.
24. I acknowledge that the glamping pods have been designed with a low profile, and the appellant has undertaken a detailed planting plan and also expressed a

⁴ DM/23/02442/FPA

⁵ DM/19/03413/FPA

⁶ DM/21/00749/FPA

⁷ DM/15/03929/FPA

commitment to implement planting prior to any building work. However, despite this mitigation, any planting would take time to establish, and the buildings and touring caravans would clearly stand out against the open countryside. I acknowledge that the type of accommodation is typically situated away from urban centres and that the visual aspect of the proposed development may change throughout the year when touring pitches are not in use. However, despite this, the number of pitches and glamping pods when in use, together with their associated cars and likely camping paraphernalia, would significantly change the rural character of the appeal site and, in turn, harm its appearance.

25. I am aware that the appeal site has planning permission⁸ for, amongst other things, the change of use from agricultural to equestrian, including the erection of a stable block for personal use, a menage and new vehicular access. I saw that an access to the site had commenced, no buildings had been constructed. I note that the appellant contends that this is a material consideration in support of their appeal; however, with regard to this main issue, I have nothing before me to demonstrate the scale of development approved or the position of approved buildings within the site. Furthermore, given that this planning permission is a significantly different development to the appeal before me, I attach little weight to this in my assessment.
26. With regard to the objection from the Campaign for the Protection of Rural England on this main issue, I have no evidence to demonstrate that they were consulted on the amended scheme. As such, I attach limited weight to their objection on this main issue.
27. Even if the Framework advises against placing unnecessary barriers in the way of rural business and tourism growth, it also states that it is important that development is sensitive to its surroundings.
28. For the above reasons, I conclude that the proposal would harm the intrinsic character of the countryside. It would fail to accord with Policies 10 I) and 39 of the CDP, insofar as they seek to ensure that development in the countryside would not give rise to unacceptable harm to, amongst other matters, the intrinsic character of the countryside, which cannot be adequately mitigated or compensated for. There would also be conflict with Parts 12 and 15 of the Framework, insofar as they seek to ensure development recognises the intrinsic character and beauty of the countryside.

Other Matters

29. I sympathise with the appellant's frustrations with the Council's handling of their planning application including, amongst other matters, its communication prior to the Appeal decision⁹ and the lack of timely responses from consultees. However, these matters are not within the scope of my assessment, which must focus on the planning merits of the appeal. Any concerns relating to its conduct are best addressed through direct engagement with the Council, utilising any complaints procedure that it may have.
30. The appellant has drawn my attention to inconsistencies in the approach with regard to the level of supporting documentation required between their proposal

⁸ DM/20/02110/FPA

⁹ APP/X1355/W/24/3347553

and the site at Old Quarrington. Whilst I have been provided with a list of technical reports relating to their submission, I have nothing to compare in relation to Old Quarrington. Notwithstanding this, even if the proposed developments are similar in scale and description, the context of each site is different.

31. I note that the determination date for the planning application predated the appeal relating to Old Quarrington. Given that the Council exceeded the agreed Extension of Time, the applicant had a right to appeal against the failure of the Council to determine their planning application.
32. Even if the proposed development would have dedicated accessibility facilities and its design would meet the needs of all visitors, these would be a likely requirement of any well-designed development. Furthermore, the absence of harm, subject to suitable conditions from the Council's Highway officer with regard to highway safety, and the absence of any public objections, does not in itself render the scheme acceptable or alter my conclusions on the main issues.
33. The appellant has drawn my attention to Policy 7 of the CDP; however, the Council contend that this Policy relates to Visitor Attractions and not Visitor Accommodation. Notwithstanding the fact that I have not been provided with a copy of Policy 7, the evidence indicates that this Policy is not applicable to the main issues.

Planning Balance and Conclusion

34. The proposal would make a positive contribution towards the Government's objectives by supporting the rural economy through tourism, the generation of jobs and greater spending generated by visitors who stay overnight and deliver biodiversity net gain (BNG) towards habitats and hedgerows.
35. There is no dispute with regard to the general support from Visit County Durham, who advise that there is an undersupply of visitor accommodation, particularly in the Durham Coast area. However, as set out above, I have found that the proposed development would not offer reasonable access to services and facilities by means other than by car, and that it would cause harm to the character of the countryside. The economic and BNG benefits do not outweigh the harm that would arise.
36. I conclude that the proposal conflicts with the development plan taken as a whole, and material considerations do not indicate a decision otherwise than in accordance with the development plan. For the reasons given above, the appeal should be dismissed.

L Clark

INSPECTOR