



Appeal Decision

Site visit made on 27 August 2025

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th September 2025

Appeal Ref: APP/X1355/W/25/3364199

Plot 1, Land west of High Bradley Farm, Pithouse Lane, Medomsley DH8 6RN

- 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 Dale Thompson against the decision of Durham County Council.
 - The application Ref is DM/24/03354/FPA.
 - The development proposed is a haybarn.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the appeal site is a suitable location for the proposed development having regard to development plan policy; and
 - the effect of the proposed development on the character and appearance of the area including an Area of Higher Landscape Value.

Reasons

Suitable Location

3. The appeal site relates to a small parcel of land measuring approximately 0.1 hectares, located to the south of the village of Medomsley and within the open countryside. In 2021, planning permission¹ was granted for a timber stable building, hardstanding and an access road.
4. There are also two adjacent parcels of land which are in use for similar purposes, all of which are accessed from Pont Lane. The appeal site is the furthestmost plot from the road, and there is a public right of way (PROW) running through the site. The land rises from Pont Lane, with the appeal site located on slightly higher ground in relation to the other plots. The surrounding area is characterised by open agricultural land.
5. The proposed development would involve the construction of an open-fronted haybarn. It would measure approximately 10 metres by 7 metres with an overall height of approximately 4.2 metres from ground level. The proposed building would be finished in Yorkshire timber board walls under a corrugated sheet roof

¹ Planning Application Ref: DM/21/02103/FPA

(green in colour) and would be positioned approximately 6.3 metres to the northeast of the existing stable building, with an area of hardstanding in between.

6. Policy 10 of the County Durham Plan 2020 (the CDP) relates to development in the countryside. It sets out, amongst other matters, that development will not be permitted unless allowed for by specific policies in the Plan, or where the proposal relates to one or more of the specified exceptions.
7. As the proposed haybarn would be used for equestrian purposes, it is not disputed that it would not meet any of the exceptions listed under Policy 10 of the CDP. However, one of the 'specified policies' is Policy 13 of the CDP which relates to equestrian development. This policy sets out the circumstances where such development would be permitted in the countryside. Criterion (b) of Policy 13 states, amongst other things, that proposals involving new permanent buildings, should be located as part of, or close to, an existing farmstead or other building groupings.
8. In this particular case, the proposed building would be located close to an existing building, which is in use for equestrian purposes. There are also further buildings on the adjacent plots which can be seen in close proximity to the appeal site. Accordingly, I find that this aspect of the policy would be satisfied.
9. Therefore, I conclude that the appeal site would be a suitable location for the proposed development. As such, there would be no conflict with Policies 10 and 13 of the CDP in so far as it requires development in the countryside to form part of, or be close to, an existing farmstead or other building grouping.

Character and Appearance

10. Whilst I have concluded that the proposal would be in a suitable location, Policy 13 of the CDP requires all of the listed criteria to be met, so I will now turn to matters concerning the effect of the proposed development on the character and appearance of the area.
11. Policy 13(c) of the CDP states that proposals should not, by virtue of their siting, design, scale, materials or layout, lighting or through the inappropriate intensification of existing bridleways, routes and land, unacceptably affect the character, heritage or nature conservation value or the locality, either individually or cumulatively with other development.
12. The appeal site lies within an Area of Higher Landscape Value (AHLV) as designated in the CDP. 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; and will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects.
13. The proposed hay barn would have a footprint of approximately 70m², so it would be significantly larger than the existing stable building and would exceed its height by approximately 1.46 metres. The existing stable building includes a tack and storage room, measuring approximately 12m². However, the appellant states that this cannot accommodate the storage of haybales due to their size and that it was intended for the storage of smaller items such as saddles, brushes and buckets. At

my site visit I observed a number of wrapped hay bales being stored outside within the site.

14. Whilst I do not dispute that there is a requirement for storage in connection with the equestrian use of the site, the proposed building would nonetheless increase the scale of buildings on the site and extend the build form of the site into the open countryside. The addition of the proposed haybarn would add to the proliferation of development in the open countryside and as when viewed alongside development on the neighbouring plots, would cumulatively contribute to the erosion and urbanisation of the countryside. Therefore, the proposed development would cause unacceptable harm to the character and appearance of the area and would not maintain or enhance the landscape character including that of the AHLV.
15. Policy 13 (d) of the CDP also requires that the proposals provide appropriate measures for screening buildings, hard standings, arenas and storage areas with trees or hedges.
16. I accept that the existing roadside vegetation would limit to an extent views from Pont Lane and wider surrounding area. However, the proposed building would nonetheless by virtue of its height and position still be a highly visible feature in close views and particularly from the PROW (No.22). Furthermore, the appeal proposal is not supported by any detailed landscaping proposals. Whilst I have had regard to whether this could be overcome by imposing suitably worded planning conditions, it has not been demonstrated that landscaping would be effective in overcoming the landscape harm of the proposed building.
17. The Council did not identify conflict with the remaining criteria of Policy 13 of the CDP. Based on the evidence before me and my own observations, I see no reason to disagree with these conclusions.
18. For the reasons set out above, I therefore find that the proposed development would cause unacceptable harm to the character and appearance of the countryside, which includes the AHLV. As such, there would be conflict with Policies 10, 13, 29 and 39 of the CDP. These policies, amongst other things, require equestrian development to not unacceptably affect the character of the locality either individually or cumulatively and to provide appropriate screening measures.

Other Matters

19. Biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (the TCP Act) (inserted by the Environment Act 2021 (the Environment Act)). Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met. For minor development, this applies for proposals submitted after 2 April 2024 and the date on the application form is 12 December 2024.
20. The Planning Practice Guidance (PPG) advises that the biodiversity gain condition does not apply to development subject to the de minimis exemption. For the de minimis exemption to apply, the development must not impact on any priority habitat and if there is an impact on other on-site habitat, that impact must be on less than 25 square metres and on less than 5 metres of linear habitat.

21. The Council concluded that the proposed development is not required to provide 10% biodiversity net gain as it meets the de-minimis exemption. However, as I am dismissing the appeal for other reasons, I have not considered this matter further.

Conclusion

22. For the reasons set out above, the proposed development would conflict with the development plan taken as a whole. There are no material considerations, including the Framework, of sufficient weight which indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

K Lancaster

INSPECTOR