



Appeal Decision

Site visit made on 6 January 2026

by K Lancaster BA (hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th February 2026

Appeal Ref: APP/X1355/W/25/3374933

Plot 2, 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 Brian Metcalfe against the decision of Durham County Council.
 - The application Ref is DM/25/01785/FPA.
 - The development proposed is to erect wall and gates to the entrance of the property,
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Brian Metcalfe against Durham County Council and is the subject of a separate decision.

Preliminary Matters

3. I have taken the site address above from the appeal form and decision notice. Although different to that given on the application form, it more accurately describes its location.
4. Based on the evidence before me and at my site visit, the development has commenced and is now substantially complete. I have therefore considered the appeal on this basis.
5. The appeal submission includes additional evidence which was not before the Council at the time of its decision. This includes a Landscape Plan and Landscape Strategy. The Procedural Guide states that it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought.
6. I have considered this additional information taking into consideration the principles established by the Courts in *Holborn Studios Ltd*¹. In this case, the additional information provides further evidence in relation to the Council's reasons for refusal, rather than significant amendments to the proposal. For this reason, I consider that there would be no prejudice to any party, and I have therefore determined the appeal on the basis of this additional information.

¹ *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin)

Main Issue

7. The main issues are:

- Whether or not the appeal site is an appropriate location for the development; and
- the effect of the development on the character and appearance of the area including an Area of Higher Landscape Value.

Reasons

8. The appeal site relates to a small parcel of land measuring approximately 0.1 hectares, located to the north of a row of properties on Bradley Cottages, and within the open countryside. The site is within a designated Area of Higher Landscape Value (AHLV).
9. In 2021, planning permission² was granted for a timber stable building, hardstanding and an access road. 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 middle plot and there is a public right of way (PROW) running along the access track. The surrounding area is characterised by open agricultural land.
10. The appeal proposal seeks planning permission retrospectively for the erection of a boundary wall, gates and gate pillars along the north-west facing boundary, which faces directly onto the access track. The wall consists of two stepped sections of coursed stone wall measuring between 1.6 metres and 2.1 metres in height, with capped gate pillars measuring approximately 2.5 metres in height. The gate measures approximately 6.1 metres wide, with a height of approximately 2 metres.

Location

11. 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. It further states that new development in the countryside must accord with all other relevant development plan policies.
12. The appellant states that the proposal relates to the equestrian use of the site and therefore should have been considered against Policy 13 of the CDP, which was not included in the Council's reason for refusal. However, the appellant also states that the development is necessary to provide adequate security measures for the site to prevent trespassing, theft and damage to his property. They further state that they require a suitable enclosure for their animals, which includes hens, a Belgian Malinois dog capable of jumping considerable heights and two further dogs. However, there is limited evidence that the development is required specifically in connection with the equestrian use of the site.
13. Whilst I have had regard to the security needs which have been advanced by the appellant, it has not been demonstrated that the enclosure of this boundary would

² Planning Application Ref: DM/21/02139/FPA

have a meaningful effect in regard to increasing site security, nor that the site could not be secured by an alternative and less harmful means of boundary enclosure, which is more in keeping with the open countryside location in which it sits. Furthermore, I have no substantive evidence that the development is required in association with the equestrian use of the site.

14. For these reasons, I therefore find that the appeal site is not an appropriate location for the development. Thus, there would be conflict with Policy 10 of the CDP which requires amongst other things, proposals to accord with a specific policy in the local plan or relate to one or more of the specified exceptions. There would also be conflict with Policy 13 of the CDP for the reasons set out above.

Character and Appearance

15. Policy 10 of the CDP states that new development by virtue of their siting, scale, design and operation must not give rise to unacceptable harm to the heritage, biodiversity, geodiversity, intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for.
16. The erection of a substantial wall with tall pillars and a wide, high gate along a single field boundary fails to reflect the rural character of the area. It appears incongruous within a landscape predominantly defined by hedgerows and post-and-rail boundary treatments. The remaining boundaries of the site are enclosed mainly by post-and-rail fencing, a feature typical of open countryside settings such as this.
17. Although views of the development from the wider area are partially filtered by intervening vegetation along Pont Lane, the structure is highly conspicuous from the nearby public right of way. From this vantage point, it is clearly at odds with the surrounding rural character.
18. Whilst the appellant has provided a landscaping scheme proposing additional hedgerow planting directly in front of the wall, such planting is likely to impede visibility at the site access. It has therefore not been demonstrated that the proposed landscaping could be delivered without compromising highway safety, nor that it would effectively mitigate the harmful visual impact of the development.
19. Policy 13(c) of the CDP also 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. Therefore, even if the proposal was considered in the context of Policy 13 of the CDP, there would for the reasons set out above be conflict with this policy by virtue of the scale, layout and appearance of the wall, gates and pillars which have been constructed at the appeal site causing harm to the character and appearance the area.
20. Consequently, I therefore find that the proposed development would cause unacceptable harm the character and appearance of the countryside, which includes the AHLV. As such, there would be conflict with Policies 10, 29 and 39 of the CDP. Together, these policies seek to ensure that development in the countryside preserves and, where possible, enhances the character and quality of the rural landscape and does not detract from the openness or scenic value of the

countryside. There would also be conflict with Policy 13 of the CDP for the reasons set out above.

Conclusion

21. 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