



Planning Services

COMMITTEE REPORT

APPEAL UPDATE

DECISIONS RECEIVED:

APPEAL REF: APP/X1355/A/12/2172487

LPA REF: 7/2011/0474/DM

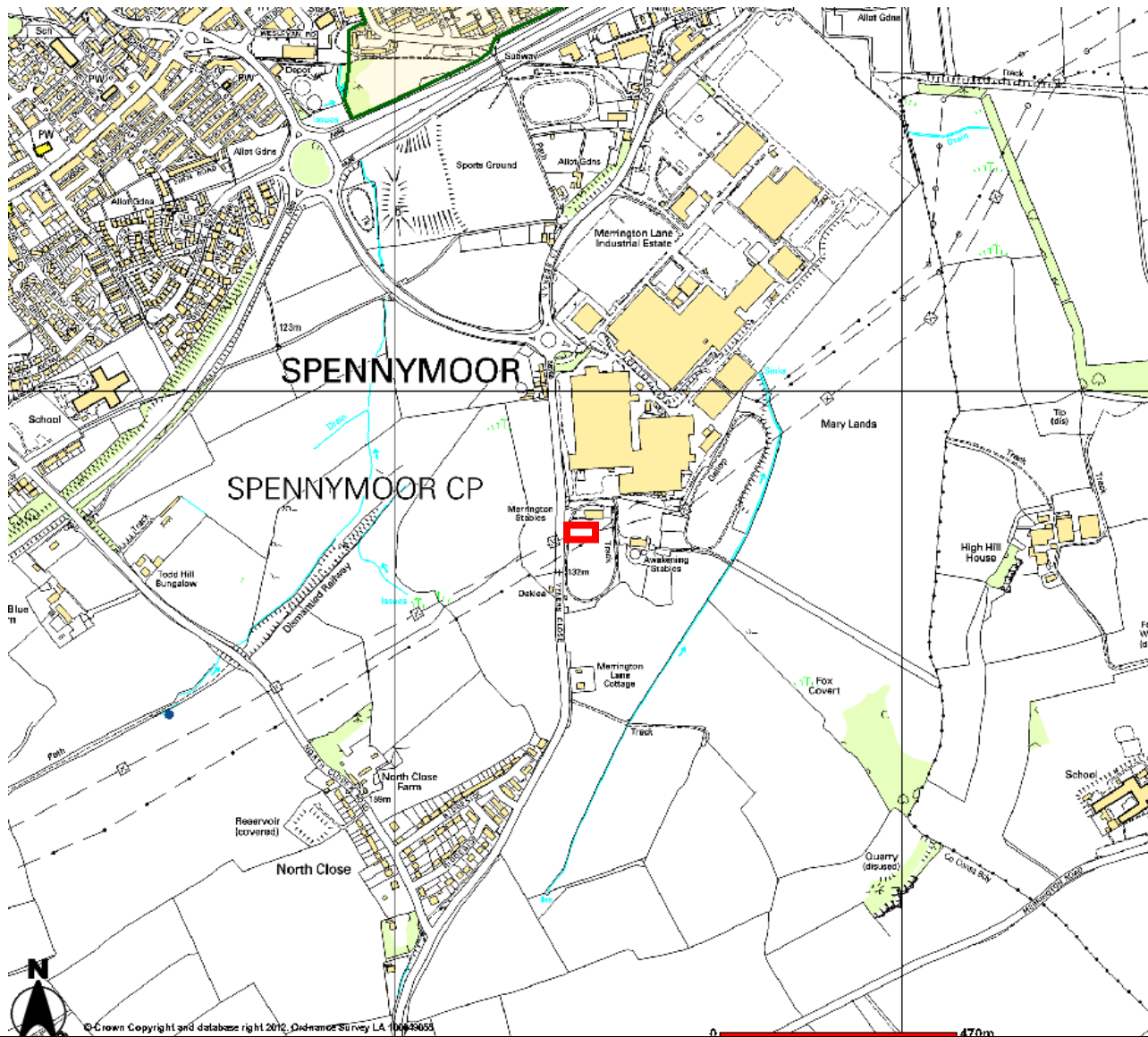
APPEAL AGAINST THE REFUSAL OF PLANNING PERMISSION FOR THE ERECTION OF 1NO. TWO STOREY DWELLINGHOUSE ON LAND AT MERRINGTON LANE STABLES, VYNER'S CLOSE, SPENNYMOOR, CO DURHAM

1. This appeal relates to an application for planning permission for the erection of 1no. two storey dwelling house on land at Merrington Stables, Spennymoor. The application was refused under delegated powers on 04 January 2012 for the following reasons:
 - In the opinion of the Local Planning Authority, the proposal constitutes new residential accommodation in open countryside without adequate justification in terms of any identified functional need or sufficient financial justification, and where there is existing accommodation that is both suitable and available within close proximity of the application site. Consequently, it is considered that the proposal is contrary to Planning Policy Statement 7 (Sustainable Development in Rural Areas).
 - In the opinion of the Local Planning Authority, the scale and prominent location of the dwelling would constitute a visually intrusive feature in the countryside, detrimental to the character and appearance of this part of the River Wear Valley landscape character area. This is considered contrary to PPS7 (Sustainable development in rural areas) and adopted Sedgefield Borough Local Plan Policy E1 (Maintenance of landscape character) which require all rural development to be in keeping and in scale with its location and sensitive to the character of the countryside.
 - In the opinion of the Local Planning Authority, the applicant has failed to provide sufficient information to demonstrate that future occupiers of the proposed dwelling would not be detrimentally affected by noise and disturbance created by industrial processes at the adjacent Merrington Lane Industrial Estate which falls approximately 30metres to the north of the proposed development site. In the absence of any information to suggest otherwise, this application is considered contrary to the requirements of PPG24 (Planning and Noise).
2. The appeal was **dismissed**. In arriving at the decision the Inspector considered the following areas:
 - The lack of any demonstratable essential need for an additional dwelling in the open countryside, contrary to sustainable development principles.
 - The harmful impact of development on the character and appearance of the area contrary to saved local plan policy and the Landscape Character Assessment.
 - The impact of living adjacent to a designated industrial area in terms of noise pollution and the unreasonable restrictions which could be put onto existing industrial premises as a result of new noise sensitive development adjacent.

- In addition, a claim for costs by the appellant was also dismissed with the Planning Inspector concluding that the Council have acted reasonably. Any unreasonable behaviour resulting in unnecessary expense to the appellant was not justified. No costs were awarded to either the appellant or the Local Authority.

RECOMMENDATION

- That the decision is noted.



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| APPLICATION NUMBER | 7/2011/0474/DM |
| LOCATION | MERRINGTON STABLES, VYNER'S CLOSE, SPENNYMOOR, CO DURHAM |
| PROPOSAL | DETAILED APPLICATION FOR THE ERECTION OF A TWO STOREY DWELLINGHOUSE TO REPLACE AN EXISITNG MOBILE HOME |