



Appeal Decision

Site visit made on 30 March 2009

by **Michael Hurley** BA DipTP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
5 May 2009

Appeal Ref: APP/N1350/A/09/2094333

Land at The Stables, Snipe Lane, Darlington, Co Durham, DL3 8RB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by W K Mounsey against the decision of the Darlington Borough Council.
- The application (Ref: 08/00888/FUL) dated 29 October 2008, was refused by notice dated 22 December 2008.
- The development proposed is the erection of a fodder store.

Decision

1. I allow the appeal and grant planning permission for the erection of a fodder store at The Stables, Snipe Lane, Darlington, DL3 8RB, in accordance with the terms of the application Ref: 08/00888/FUL, dated 29 October 2008 and the plans submitted therewith, subject to the condition that the development hereby permitted shall begin not later than three years from the date of this decision.

Main issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the countryside.

Reasons

3. The appeal site is bounded to the north by the appellant's stable building; and to the west by a railway embankment. Otherwise the surrounding area consists of open fields, many of which provide pasture for horses. Access to the site is by means of a narrow cul-de-sac, which leads northwards for about 600m to join the A66 trunk road.
 4. The proposed fodder store would be of timber construction, with a pitched roof of galvanised steel tiles. It would measure about 18m long by 12m wide, and would stand just over 7m high to the roof ridge. Save for a barn door in its eastern elevation and a couple of roof lights on its northern side, the building would be imperforate.
 5. Policy E2 of the Borough of Darlington Local Plan indicates that certain types of development may be permitted in the countryside (outside of the defined development limits) provided that harm to the character and appearance of the rural area is avoided. These include proposals for countryside-related sports or recreational activities. Policy R15 of the Local Plan confirms that development related to the keeping of horses for recreational and/or commercial purposes will be permitted in the countryside, subject to there being no adverse impact
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in terms of amenity or wildlife conservation. Policy E4 of the Local Plan provides that new buildings in the countryside should preferably be located adjacent to existing buildings. Policy E7 requires that development should respect its landscape setting.

6. In my view, the proposed fodder store would comply with these policies. It would plainly be used to support the keeping of horses on the adjacent land. It would be located immediately adjacent to an existing stable block, and would be well hidden from the public highway. Its design would be simple, and its materials would be appropriate to this rural setting. It would not detract from the amenity of either local residents or users of the countryside. As far as I am aware, it would have no adverse effect on wildlife conservation. I conclude that it would not detract significantly from either the character or the appearance of this rural area. In the circumstances, I shall allow the appeal.
7. Although the Council have cited Policy E17 of the Local Plan in their decision, that policy is concerned with areas of poor or degraded landscape. In my view, it does not apply to the appeal site. I have taken account of all the other matters raised, including the planning history. However I do not find any of these factors to be sufficient to outweigh the considerations that have led me to my decision.

Michael Hurley

Inspector

PART 111

Complaints Received and Being Considered Under the Council's Approved Code of Practice – Report of The Assistant Chief Executive (Regeneration) (enclosed) (Exclusion Resolution No.13).

