



Appeal Decision

Site visit made on 1 May 2012

by Malcolm Rivett BA (Hons) MSc MRTPI

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

Decision date: 10 May 2012

Appeal Ref: APP/N1350/A/12/2170940
Field on Mill Lane, Bishopton, Darlington.

- 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 Miss Jacqui Gregory against the decision of Darlington Borough Council.
 - The application Ref 11/00634/FUL, dated 22 September 2011, was refused by notice dated 21 November 2011.
 - The development proposed is widening and hard surfacing entrance to field; hard surfacing parking area and enclosure for horses.
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Decision

1. The appeal is allowed and planning permission is granted for widening and hard surfacing of entrance to field; hard surfacing parking area and enclosure for horses at Field on Mill Lane, Bishopton, Darlington in accordance with the terms of the application, Ref 11/00634/FUL, dated 22 September 2011, and the plans submitted with it, subject to the following conditions:
 - 1) Within three months of the date of this decision full details of the materials to be used for the hard surfacing shall be submitted to, and approved in writing by, the Local Planning Authority and the development hereby permitted shall accord with the approved details.
 - 2) The hedge planted at the entrance to the site shall be retained and any part of it which, within a period of five years, is removed, dies or becomes diseased or severely damaged, shall be replaced with hedging plants of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Main Issue

2. The main issue of the appeal is the effect of the proposal on the character and appearance of the area.

Reasons

3. At the time of my visit the scheme had been implemented in part with the widened entrance and new hedging being in place. Once the hedging has matured the access will not be dissimilar in appearance from the junctions of Mill Lane with farm tracks elsewhere in the vicinity. I also noted that a number of farm/residential properties accessed from the road have prominent, wide, brick-walled entrances. In this context the access is not out of keeping with the area.

4. Being at ground level only, and behind the boundary hedge, the hardstanding within the site itself would not be visible from most points along the road. Even at the entrance to the field the new hedge will, in time, largely obscure views into the site, these being limited to that which would be seen through the gate. The Council questions whether such a large area of hardstanding is needed at the site, although I have seen nothing of substance to counter the details of the appellant's argument that it is necessary. In any case, the total area of hardstanding would comprise a tiny proportion of the entirety of the site and, thus, it would not represent 'overdevelopment' or an excessive intrusion of built-form into the countryside.
5. I therefore conclude that the development as a whole would not cause significant harm to the character or appearance of the area and thus has no conflict with policy CS14 of the adopted *Darlington Local Development Framework Core Strategy* which indicates that the distinctive character of the borough's countryside will be protected. I also agree with the appellant that, by improving visibility at the entrance to the site, the scheme improves rather than hinders road safety.
6. The Council refers to a steel container recently positioned on the site although this is not part of the description of the development nor is shown on the plans. Therefore, it has not had a bearing on my decision and nor does it gain approval as a result of the appeal.
7. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be allowed. Implementation conditions are not necessary as the development has already commenced although, to ensure the development is in keeping with the rural character of the area, conditions are needed concerning the detail of hard surfacing and to require the retention and replacement (if necessary) of the new hedging.

Malcolm Rivett

INSPECTOR