



Appeal Decision

Site visit made on 19 August 2008

by **R R Lyon MA CEng MICE MRTPI FIHT**

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

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Decision date:
5 September 2008

Appeal Ref: APP/H0738/A/08/2072442 Townend Farm, Whitton, Stockton-on-Tees TS21 1LQ

- 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 Mr M Tinkler against the decision of Stockton-on-Tees Borough Council.
- The application Ref 07/3382/FUL, dated 30 November 2007, was refused by notice dated 30 January 2008.
- The development proposed is conversion of existing farm buildings to form one dwelling.

Decision

1. I allow the appeal, and grant planning permission for the conversion of existing farm buildings to form one dwelling at Townend Farm, Whitton, Stockton-on-Tees TS21 1LQ in accordance with the terms of the application, Ref 07/3382/FUL, dated 30 November 2007, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall not be carried out except in complete accordance with the following approved plans, unless otherwise agreed in writing by the local planning authority: Nos. SBC001, 0620/PL14/PFP, 0620/PL14/PE, 0620/PL14/SP.
 - 3) Notwithstanding any description of materials submitted as part of the application details, before development commences precise details of the materials to be used in the construction of the external walls and roofs of the building hereby approved shall be submitted to and approved in writing by the local planning authority. The external walls and roofs shall be constructed in accordance with those approved details.
 - 4) The development hereby permitted shall not be occupied until drainage works have been carried out in accordance with details to be submitted to and approved in writing by the local planning authority.
 - 5) The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development in accordance with details to be submitted to and approved in writing by the local planning authority.
 - 6) Notwithstanding any information submitted as part of the application details, before development commences the proposed site levels and finished floor levels shall be submitted to and approved in writing by the local planning authority. Construction shall take place in accordance with those approved details.

- 7) Construction works shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays and at no time on Sundays or Bank Holidays.
- 8) Notwithstanding any information submitted as part of the application details, before the building hereby approved is occupied full details of hard landscaping works shall be submitted to and approved in writing by the local planning authority. These details shall include car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. incidental buildings).
- 9) Notwithstanding any information submitted as part of the application details, before the building hereby approved is occupied full details of landscaping including tree and shrub planting shall be submitted to and approved in writing by the local planning authority. Such a scheme shall specify types and species, layout contouring and surfacing of all open spaces. The work shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation.

Reasons

2. The appeal buildings are a tight group adjacent to Townend Farm and next to a site with planning permission for 8 dwellings where site clearance appears currently to be taking place. Retention of the buildings as proposed would bridge the gap between the farm and the small development, preventing its isolation from the body of the village. I consider that this bridging effect would make an important contribution to the character and appearance of the area.
3. On the other hand, the proposal would be in a village with few facilities that is traditionally paired with Stillington, which is reasonably well provided with services including a good range of employment. The distance from the appeal buildings to the post office, shop and doctor's surgery in Redmarshall Street by way of either the road or bridleway is about 1,200m. That to the Primary School is some 800m by way of the road. The road is unlit, but it does provide a bitumen footway within one verge. I understand that the proposal would also benefit from a 2-hourly bus route that is shortly to be re-instated between Whitton and Stillington.
4. The Council's reason for refusal does not suggest conflict with development plan policies. The thrust of national policy guidance is that new housing should be focussed in or near local service centres and that proposals should reduce car dependence. The distance to the facilities I describe is probably near the limits of sustainability, but I judge that the benefit to the character and appearance of the area would be enough to tip the balance in favour of the proposal. I have taken account of other decisions that have been brought to my attention. Whilst the considerations may be similar, there is no general conclusion to be drawn from those decisions; I have judged this proposal on its merits.
5. I have considered what conditions should be imposed apart from the usual commencement condition. Construction details are somewhat limited in the submitted drawings and in the application, so to ensure a development that

would achieve the bridging effect I support above I will impose conditions defining the plans in this consent, and the Council's approval will be required for external details, floor levels, drainage, sewage disposal, and hard and soft landscaping. Working hours will be defined to protect neighbours from noise and disturbance during construction.

R.R.Lyon
INSPECTOR