



Appeal Decision

Site visit made on 2 March 2009

by **Alan Novitzky** BArch(Hons) MA(RCA)
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an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
6 March 2009

Appeal Ref: APP/H0738/A/08/208969

Site west of Glebe Farm, Elton Village, Stockton on Tees TS21 1AG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission with all matters reserved for later decision.
- The appeal is made by Mr Malcolm Douglass against the decision of Stockton-on-Tees Borough Council.
- The application Ref 08/2318/OUT, dated 10 July 2008, was refused by notice dated 21 October 2008.
- The development proposed is a *single dwelling*.

Decision

1. I dismiss the appeal.

Main issue

2. An appeal decision,¹ issued in September 2004, concluded that a similar proposal would not harm the character and appearance of the surrounding area and would preserve the setting of the adjacent Grade II* Elton Parish Church. The relevant planning circumstances do not appear to have changed and therefore, I see no reason to disagree. This also applies to highway safety, drainage and churchyard privacy. The main issue is, therefore, whether the site is in a sufficiently sustainable location for residential development.

Reasons

3. The site comprises previously developed land within the development limits of Elton. It satisfies the criteria of saved Policy HO3 of the Stockton on Tees Local Plan (LP), adopted June 1997, which indicates that residential development may be permitted. However, within the last five years, *Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7)*, *Planning Policy Statement 1: Delivering Sustainable Development (PPS1)*, and *Planning Policy Statement 3: Housing (PPS3)* have been issued, all containing strong policy advice directed towards providing more sustainable patterns of development.
4. This national guidance post-dates the Council's considerations regarding the earlier proposal by some margin and far exceeds sustainability policy within the development plan at that time. It also post-dates the earlier appeal decision, except for PPS7, which had been issued in the previous month. Further, Policy 4 of The North East of England Plan Regional Spatial Strategy (RSS), issued in July 2008, states that Local Development Frameworks should adopt a

¹ APP/H0738/A/04/1144863

sequential approach to the identification of land for development to give priority to previously developed land and buildings in the most sustainable locations. This accords with national advice and is consistent with the Council's Core Strategy which is well advanced, the publication draft having been issued in October 2008, although not yet formally examined.

5. It is supported by *Planning the Future of Rural Villages in Stockton-on-Tees Borough*, published by the Council at the same time as the Core Strategy, which describes particular settlements and audits their services and facilities. Elton is identified as a Tier 3 settlement, within a hierarchy of four tiers, where infill housing development should be unacceptable due to limited services and a reliance on the private car to access services. Despite the status of the Core Strategy and supporting documents, I find the analysis persuasive, even allowing for the projected improvements in bus services. Comparisons have been made with Hilton, Aislaby, and Redmarshall, all Tier 3 settlements. Although inevitably there are differences, Elton has much more in common with these villages than with Long Newton, a Tier 2 settlement, which is much larger and has the added facilities of a further pub, a school, recreation ground, village hall and community centre.
6. Elton is closer to the built up area of Stockton, with its facilities and employment opportunities than the other villages noted, but this would not significantly reduce reliance on the car. Also, regarding employment possibilities, the projected bus link to Darlington would benefit Long Newton more than Elton. Although the distance to the nearest shop from Elton is less than from the other settlements and can be reached by bus, it involves crossing the busy A66, an intimidating prospect on foot or by cycle. Overall, I find that Elton has a paucity of facilities, including a pub some way outside the built up area of the village. Despite the bus connections, the occupants of the proposed dwelling would almost certainly rely on the private car to a great extent. Moreover, there is no evidence to show that the existing facilities, including the bus services, would be threatened without additional housing.
7. A five year supply of housing has been demonstrated from planning permissions granted, at a level above RSS requirements. Questions of deliverability are, therefore, not critical. The stated intention of incorporating sustainability features within the building is commendable. However, these features could be put in place in a more sustainable location and they do not overcome the harm identified. I also note that planning permission has recently been granted for the residential conversion of a tithe barn at Town End Farm in Elton. However, the present proposal does not carry the conservation benefit of the barn conversion. Finally, I cannot give weight to the Appellant's misunderstanding of the time limit on the previous permission, which was clear from the standard wording of the conditions and does not affect the present planning circumstances.
8. The proposal would conflict with the national policy guidance on sustainability noted. I conclude that the site is not in a sufficiently sustainable location for residential development, and that the proposal is unacceptable.

Alan Novitzky

Inspector