

DELEGATED

AGENDA NO
PLANNING COMMITTEE
28 May 2014
REPORT OF CORPORATE DIRECTOR,
DEVELOPMENT AND NEIGHBOURHOOD
SERVICES

14/0588/OUT

Glebe Farm, Darlington Road, Elton

Outline application for the construction of an eco-executive 4 bed detached dwelling including means of access

Expiry Date: 29 April 2014

SUMMARY

Outline Planning permission with all matters reserved other than the access, is sought for the erection of a 4 bed detached eco-executive dwelling house on land west of Glebe Farm Elton.

Twelve individual letters of objection have been received from local residents and interested parties with the main objections relating to the principle of development and the sustainability of the area, impact of the development on the character of the area, impact on the setting of the Grade II* listed church and impact on privacy for those attending burials and visiting graves. Other concerns relate to the adverse impact on traffic and the highway and impact on flooding and drainage.

Seven letters of support have been received from interested parties who live outside of Elton. These letters of support relate mainly to the lack of five year supply, consider the scheme would help to increase the sustainability of Elton and other nearby Villages and the proposal will help to drive forward a zero carbon future in line with the Governments proposals for zero carbon buildings in 2016.

The site is located within a Tier 3 village which has been assessed as unsustainable in the recent study "Planning the Future of Rural Villages". A previous appeal decision in 2009 supported this view and dismissed the appeal.

The application is recommended for refusal as the site is considered to be an unsustainable location for further residential development.

RECOMMENDATION

Planning application 14/0588/OUT be Refused for the following reason(s)

In the opinion of the Local Planning Authority the proposed site is in an unsustainable location for residential development by virtue of the limited services, which would require occupants to travel via the private car for employment, schools, retail and recreational purposes and as such would be contrary to the aims of government guidance with respect to locating residential development in sustainable locations as detailed in the National Planning Policy Framework and it is considered that there are no special circumstances relating to the proposal as defined in paragraph 55 of the National Planning Policy Framework to override the National Planning Policy Framework when taken as a whole.

BACKGROUND

1. An application was submitted in 2003 (03/2686/OUT) for outline permission for the erection of a single dwelling house. The application was refused as it was considered the proposed development would adversely affect the character and setting of Elton Parish Church and would also constitute an over development of the site. The applicant appealed the decision which was then allowed by the Planning Inspectorate (Appeal Decision at Appendix 7). This permission lapsed before the submission of reserved matters.
2. An outline application for the erection of 1 dwellinghouse (08/2318/OUT) was submitted and refused as it was considered that the proposed site is in an unsustainable location for additional residential development. The applicant appealed the decision and this view was supported by the planning inspectorate (Appeal Decision is at Appendix 8).

SITE AND SURROUNDINGS

3. The application site is located in the village of Elton, which comprises groups of fairly large, mainly detached dwellings at either side of the Darlington Road with a more compact development (Juniper Grove) at the eastern end of the village. The site is located within the defined village envelope of Elton.
4. The application site is a narrow strip of land located within the grounds of Glebe Farm, which is a modern style bungalow sited directly to the east. To the north east of the site is a detached residential bungalow (Glebe Farm Cottage).
5. To the west of the site is Elton Parish Church and associated graveyard (also known as St Johns the Baptist Church) which is a grade II* listed building.

PROPOSAL

6. Outline planning permission is sought for the erection of an eco-executive 4 bedroomed detached dwelling. All matters are reserved other than the proposed access.
7. Whilst all matters are reserved the applicant has submitted indicative plans which show a dormer dwelling with a height of 7.6 metres with a footprint of approximately 130 square metres. The indicative proposals show the dwelling located immediately to the west of the existing house, Glebe Farm. To the west of the application site is the listed Church and the proposed dwelling is approximately 0.7m away from the boundary at the closest point with the distance gradually increasing further north.
8. The applicant has attempted to quantify the "harm" that would be caused by the development by relating it directly to carbon emissions through the use of the private car and to overcome this harm is proposing a home with renewable energy systems such as photovoltaic, solar hot water system and a ground source heat pump system.
9. The proposed dwelling will be served by the existing access off Darlington Road.

CONSULTATIONS

10. The following Consultations were notified and any comments received are set out below:-

11. Spatial Plans Manager

The adopted Development Plan: On 22 March 2013 the Secretary of State laid in Parliament a statutory instrument to revoke the Regional Strategy for the North East, this came into force on 15 April 2013. The Regional Strategy no longer forms part of the Development Plan for the Borough. The Development Plan currently comprises Stockton-on-Tees Local Plan 1997 (Saved Policies), Stockton-on-Tees Local Plan Alteration Number One 2006 (Saved Policies),

Stockton-on-Tees Core Strategy DPD 2010 and Tees Valley Joint Minerals and Waste LDD (September 2011). The following saved Local Plan and Core Strategy policies will be material in the determination of the application:

Local Plan: HO3- Development on Unallocated Sites

Core Strategy : CS1- The Spatial Strategy, CS2- Sustainable Transport and Travel, CS3- Sustainable Living and Climate Change, CS7- Housing Distribution and Phasing, CS11- Planning Obligations

Planning History: This is not an exhaustive planning history; it is intended to highlight the pertinent planning history from a spatial planning perspective:

03/2686/OUT- Erection of 1 no. dwelling- Approved at Appeal (APP/H0738/A/04/1144863)

08/2318/OUT- Erection of 1 no. dwelling- Refused at Appeal (APP/H0738/A/08/2089969)

It is understood that the first application which was approved at appeal was not implemented and changes to national guidance in the period between applications lead to the refusal of the latter appeal for reasons of the locations sustainability.

Main policy considerations.

Presumption in favour of sustainable development

The NPPF (paragraph 14) states that *'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.'* For decision taking this means: *'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted'*

Housing Supply Policies

Adopted Core Strategy policy CS1 provides the Spatial Strategy for the Borough focusing development in the Core Area (point 1) and advising that *'the remainder of housing development will be located elsewhere within the conurbation...'* However, the Council is unable to demonstrate a five-year supply of deliverable housing sites and in accordance with para 49 of the NPPF policies in the development plan that deal with housing supply are therefore to be considered out of date and proposals should be considered in the context of the presumption in favour of sustainable development. Whilst the Council are unable to identify a five-year supply of deliverable housing sites the proposal is for a single dwelling which will have limited impact upon addressing this issue. Other policies in the development plan which do not relate to housing supply remain up-to-date.

Limits to Development: Saved Local Plan Policy 'EN13 - Limits to Development' seeks to control development within the countryside to that requiring such a location. In order to do this the policy sets out the categories of development that can be permitted outside the limits to development without compromising this objective. It is stated within the Planning Statement in support of the application that this policy is not consistent with the NPPF and indicates that the policy is a housing supply policy. The Council does not agree with this view and cites appeal decision APP/H0738/A/13/2208405 (Tees View, Worsall Road, 18 February 2014) in which the inspector states "I read that the Council cannot demonstrate a 5-year supply of identifiable housing sites so that housing applications are to be considered in the context of the presumption in favour of sustainable development and decisions made in accordance with paragraph 14 of the Framework (NPPF). However, even though policies for the supply of housing may be 'out of date' and development necessarily countenanced beyond settlement limits, policies designed to protect the character of the countryside, the openness of 'strategic gaps' and the appearance of sensitive landscapes might well be worth maintaining for sound planning reasons endorsed by the Framework" Regardless of the above, the application is located within the limits to development for Elton and must be considered against saved local plan 'HO3 – Development on Unallocated Sites'.

Sustainable Development: National and development plan policy seeks to direct new development to locations where residents would have access to services and sustainable modes of transport. The previous refusal at appeal (APP/H0738/A/08/2089969) concluded that *'The proposal would conflict with the national policy guidance on sustainability noted. I conclude that the site is not a sufficiently sustainable location for residential development, and the proposal is unacceptable.'* From this it is clear that one of the main considerations as part of this

application is whether the proposal represents sustainable development. The following commentary seeks to further elaborate upon this matter and respond to points raised within the Planning and Design & Access Statements submitted as part of this application. The site is located within Elton Village which has particularly restricted services and facilities. The Local Planning Authority updated the Planning the Future of Rural Villages study in 2012 as an evidence base for the Local Plan in order to establish the levels of facilities available within the Borough's rural villages and assess their sustainability. The outlying villages have been grouped into tiers based on their sustainability, with tier 1 being the most sustainable and tier 4 being the least, only those villages falling within either tier 1 or 2 have been considered to be sustainable enough to accommodate further infill housing. Elton lies within tier 3 and is therefore not considered to be suitable for any further housing. Residential development would require its occupants to rely heavily on the private motor vehicle for the vast majority of trips associated with education, leisure, employment and shopping uses. The Inspector found the analysis within the Planning the Future of Rural Villages study persuasive at the aforementioned appeal. Two issues have been raised within the submitted Planning Statement regarding the analysis (scoring) of Elton within the Planning the Future of Rural Villages study. These issues are summarised below:

Elton Care Home has not been taken into account when assessing access to health facilities. The scoring for ancillary facilities has been underestimated as Whitton Village gained the same mark but does not have a church.

The planning statement continues to identify that should the scoring for these topic areas be amended as suggested within the Planning Statement Elton would be elevated to a tier 2 village and be considered appropriate for infill development. The Council do not concur with these arguments and consider the analysis accurate for the following reasons:

Elton Care Home is not a health facility that can be accessed by residents within the village (or indeed the potential residents of this proposed dwelling). The assessment of health facilities refers to access of a Hospital/Doctor's Surgery

The scoring criteria for 'ancillary facilities' is provided below. Elton scored '2' for this particular topic area alongside Redmarshall in Tier 3 and all villages in tier 4. In general, these locations had a post box and phone box; in addition to this Redmarshall and Elton also have a church. However, it was not considered appropriate to elevate these villages (Redmarshall and Elton) to score a '3' for this topic area as a church is not a community facility per se it is a religious building. As with the remaining villages in Tier '3' (Thorpe Thewles and Hilton) it is the provision of a Village Hall that has elevated the score for this topic area to a '3'.

Ancillary Facilities within the village- which limit the need to travel unsustainably	
Numerous community facilities as well as general ancillary facilities (post box etc)	4
A few community facilities as well as general ancillary facilities	3
No community facilities but general ancillary facilities	2
No ancillary facilities	1

Further to the points above I would reference the inspectors report to the previous appeal (APP/H0738/A/08/2089969) which states at paragraph 5 *'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.'* This statement highlights the main difference between tier 2 and tier 3 villages; being the number of services and facilities within the villages. Elton has fewer services and facilities within the village and consequently residents have a higher reliance upon bus services to access services and facilities by means other than the private car. It is understood that subsidies from the local authority to 16 bus routes will cease at the end of March 2014 and that this will impact upon the services through Elton. The Planning Statement highlights an Evening Gazette article from September 2013 in which the Councils Head of Technical Services is quoted as stating that *"there will be £400,000 funding available to help set up alternative schemes with voluntary and community groups."* It is understood that there has been no take up of funding to provide alternative schemes to Elton. This will significantly impact on the ability of village residents to access services and facilities by sustainable means and reduce the previous performance identified within the Planning the Future of Rural Villages study.

It will be necessary to undertake a full review of the Planning the Future of Rural Villages study as a result of the changes to bus services and other changes which have taken place since 2012. Whilst this full review has not been undertaken it is possible to identify the likely impacts on the 'Sustainability Study' for the village. The following identifies 'Sustainability Study' within the 2012 update and the likely impact the removal of bus services is likely to have upon this assessment.

	2012 update		Draft 2014 update	
	Discussion	Score		Score
Employment	The nearest employment centres are Eaglescliffe and Yarm but these are inaccessible by sustainable means. Otherwise residents could commute by bus to Stockton.	5	As there is no bus service it would be difficult to access any meaningful employment via sustainable means. Access to Hartburn and Long Newton via pedestrian/cycle links means a limited amount of employment might be accessible by sustainable means.	2
Health	The nearest doctor's surgery is at Eaglescliffe 3.2km away. This is inaccessible by sustainable means.	2	Potential reduction as medical services in Stockton Town Centre can no-longer be accessed by bus	1
Education	No school within the village. The nearest primary school is at Long Newton (no bus service, but pedestrian and cycle access) and secondary at Egglecliffe (bus service provided).	5	Unknown at this stage. Confirmation required from Community Transport. Assumed highest score still correct at this stage.	5
Shops	Shops in Yarm are inaccessible by sustainable means. There is an hourly bus services to Stockton.	4	There are sustainable links to Hartburn with a shop on Birkdale Road being 1.5km away. Harper Road is further away at 2.5km. There is no bus service to access additional shopping facilities.	2
Leisure	Public House.	1	No change identified	1
Ancillary facilities	Phone box, post box, Church.	2	No change identified	2

Access	<p>Bus Links Stockton is ccessible by bus, taking 17 minutes. This service operates on an hourly basis, and the timings would enable residents to commute to this possible employment centre. There is no evening or Sunday service.</p>	5	The village no longer has a bus service	1
	<p>Pedestrian and Cycling Links The Elton Link Road means that there is road linking Elton and Long Newton. As part of this development there is a segregated footway/ cycle way. This forms part of the National Cycling Route 14, which connects Darlington to Hartlepool via Stockton. This route also skirts Tees Forest.</p>	4	No change identified	4
	Total	28		18

This is a draft assessment which will need to be carefully considered when the village study is updated in full to ensure consistency in scoring across the villages. However, this draft assessment does indicate that bus services play an important role in the ability for residents to access services and facilities by sustainable means. In this regard it is likely that the village will be reclassified as a Tier 4 village with a future update.

An assessment has been provided within the submitted Design & Access Statement which seeks to identify that the 'harm' identified within the inspectors report to the refused appeal (APP/H0738/A/08/2089969) can be overcome by the incorporation of renewables. The inspector references 'harm' at paragraph 7 stating that *'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'* It is understood that the 'harm' identified by the inspector is referenced within paragraph 6 in which the inspector identifies reliance upon the private car. The appeal decision concludes that the 'site is not a sufficiently sustainable location for residential development...'

CO2 emissions are a harm of the development. However, as discussed with the agent 'harm' as identified by the inspector is 'reliance upon the private car'. In this regard it was identified that it would not be possible to quantify this 'harm'. It is the Councils opinion, as supported by the inspector as part of the previous appeal, that it is the location that is unsustainable and that whilst sustainability features are commendable they do not overcome the identified 'harm'.

Reference is made within the Planning Statement to paragraph 55 of the NPPF which states that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.' The proposal is for a single dwelling it is not considered that this would have any significant impact upon supporting services and facilities within the village.

The NPPF establishes a presumption in favour of sustainable development, and explains that this may have 3 separate dimensions or roles - economic, social and environmental. On balance it is considered that the proposal is unlikely to constitute sustainable development as defined within the NPPF. Whilst there might be minor economic benefits the proposal is located in an unsustainable location and potential residents would be reliant on the private car to access services and facilities.

Greenfield/Brownfield

The Planning Statement identifies the site as previously developed land and states that the proposal will if approved contribute to Stockton on Tees Borough Council's target of 75% of dwelling completions on previously developed land. Whilst it would appear from historic maps that the site has previously been the site of a residential property this has long since been demolished and the site appears to be within the residential curtilage of Glebe Farm. Residential curtilage is not classified as previously developed land and the site can likely be identified as greenfield. Regardless of confirmation on this matter, the proposal is for a single dwelling and is unlikely to impact significantly on the target for previously developed land.

Sustainable living and climate change

It is acknowledged that previous applications have considered the impact of proposals at this location of the adjacent grade II* listed 'Elton Parish Church'. However, it will be necessary to consider the impact of the proposal against chapter 12 'Conserving and Enhancing the Historic Environment' of the NPPF and in relation to Core Strategy Policy 3 (CS3) – Sustainable Living and Climate Change. The 1st bullet point of point 8 of Policy CS3 states that proposals will 'Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space'.

Planning Obligations

The Planning Statement references the recently published Supplementary Planning Document (SPD) 8- 'Affordable Housing' and states that the applicant would be willing to discuss the possibility of an off-site contribution if the LPA felt it appropriate. The draft SPD provides guidance on how the requirements for affordable housing provision set out in Core Strategy Policy 8 are to be applied. Point 5 of CS8 identifies that 'Affordable housing provision within a target range of 15-20% will be required on schemes of 15 dwellings or more and on development sites of 0.5 ha or more.' The proposal does not meet the requirements of CS8; therefore an affordable housing contribution is not required. In accordance with Core Strategy Policy CS11- 'Planning Obligations' a contribution towards open space, sport and recreation facilities as defined within the Open Space, Recreation and Landscaping SPD may be appropriate.

Summary: National and development plan policy seeks to direct new development to locations where residents would have access to services and sustainable modes of transport. On balance it is considered that the proposal is unlikely to constitute sustainable development as defined within the NPPF. Whilst there might be minor economic benefits the proposal is located in an unsustainable location and potential residents would be reliant on the private car to access services and facilities.

12. Head of Technical Services

Highways Comments: This is an outline application with only access being considered however indicative plans have been submitted and comments are based on these. The access is approximately 5m wide which is sufficient to allow 2 cars to pass and adequate visibility is available. Incurtilage car parking for both the existing and proposed dwellings should be provided in accordance with SPD3: Parking Provision for Developments 2011.

Landscape & Visual Comments: This is an outline application with only access being considered however indicative plans have been submitted and comments are based on these. The proposed dwelling appears very close to the boundary of Elton Parish Church allowing for no meaningful space for planting to soften the proposal. It also looks very tight on the site with limited amenity garden space and is out of keeping with the local settlement pattern within the village. There would therefore be a landscape and visual objection to this development.

Environmental Policy: No objections. The workings behind the carbon mixer tool take account each energy supply separately. Confirmation by Design of the efficient of an integrated system, particularly regarding the varying temperature differential between solar thermal and ground source heated waters would increase confidence in the achievable outcome regarding carbon emissions.

13. Environmental Health Unit

I have no objection in principle to the development; however, I do have some concerns and would recommend a condition regarding construction noise should it be approved.

14. English Heritage

Summary: The significance of the grade II* listed Church of St John the Baptist lies in its medieval origins, the architectural interest of the C19 rebuild and the contribution of its setting to its sense of rurality and seclusion. The height and location of the proposal will make it highly visible in views of the church and this will have a harmful impact on its significance by intruding on the sense of space between buildings and the detached and peaceful character this creates. This harmful impact will be less than substantial but will still equate to a degree of harm that requires justification in line with paragraphs 132 and 134 of the National Planning Policy Framework. I suggest that, if the principle of development is accepted, amendments are made to the proposal that will mitigate the harm and preserve those elements of the church's setting that make a positive contribution to its significance.

English Heritage Advice: The significance of the grade II* listed Church of St John the Baptist lies in its historic fabric and architectural interest as a sympathetic C19 rebuild of a C12-C13 church. As a remnant of the medieval community at Elton, the siting of the church gives us an insight into the story and development of the settlement and in present day Elton, the relationship that the building has with its surroundings - both built and natural - continues to contribute to its significance; its diminutive proportions and picturesque qualities convey its rural heritage and create a strong sense of history amongst the more modern buildings that now make up Elton. Although there may be archaeological implications - and I defer to the comments made by Tees Archaeology regarding the impact the development may have on the evidential value of the site - it is clear that the proposal will not have a direct impact on the building. However, its height and location close to the boundary mean that it will be highly visible in views of the church and as such it will impact on the setting of the building by changing its context. The contrast of modern and historic by no means predetermines that there will be harm to the significance of a heritage asset, but in this instance it will alter our experience of the site by distracting the eye and interrupting the feeling of seclusion and peacefulness that the building gains from the rurality of its setting. It is acknowledged that there has been previous development in this location, but the buildings on the plot to the east had a direct and vital relationship with the church; a 'glebe' is land that serves a clergyman and provides income, so the farm and rectory that used to occupy the site actually contributed positively to the setting and significance of the church as it informed our understanding of how the site functioned on a practical level. This relationship has been lost over time and will not be revealed by the present proposal, and as such the significance of the setting of the church now lies in its strong aesthetic qualities, derived as much from the spaces between the buildings as the buildings themselves. Since the appeal in September 2004, which ruled that development on this site would not have an adverse impact on the church, English Heritage has developed guidance on the contribution that setting makes to the significance of heritage assets. Based on this guidance, the proposal will affect the significance of the asset as, although the two will be visually distinct, it changes the way we experience and appreciate the church, primarily because of the visual impact but also by intruding on its detached and intimate character. This harmful impact on significance will be less than substantial but will amount to a degree of harm that requires justification in line with paragraphs 132 and 134 of the National Planning Policy Framework.

If development in this location is considered acceptable, I would suggest that the local authority seeks amendments that will limit the harmful impact it will have on the significance of the church through alterations to its setting. Reducing the height of the building would help lessen its visual impact, while landscaping that screens the development will help retain the relationship the building has with the natural environment and the sense of detachment that is key to the asset's aesthetic values.

Recommendation: If the local authority is minded to approve the application, I suggest that they seek amendments that will reduce the harmful impact the proposal will have on the setting of the church, thereby mitigating the effect it will have on its significance.

15. Tees Archaeology

The proposed development lies within an area of archaeological interest. It is within the medieval settlement of Elton and it is likely that the plot of land has seen intermittent occupation from the 11th century onwards.

The development site is also adjacent to the churchyard of St. John. Our knowledge of churchyards within the district of Stockton suggests that their boundaries are known to change over time and it is possible that the burial ground may have extended further eastwards at some point in the past. There is also a tradition of burying certain individuals outside of consecrated ground, for instance those who were not baptised or had committed suicide. The site is therefore of archaeological interest and has some archaeological potential. This potential is offset by the fact that a previous building has occupied much of the footprint of the proposed new build.

The proposal has the potential to have an impact on the significance of archaeological remains relating to the medieval settlement at Elton and its churchyard. In this case I would recommend that the developer secures a programme of archaeological work to take place during ground disturbance in order that any archaeological deposits (including human remains) can be properly recorded prior to their destruction. This advice is in line with the policy given in the NPPF (para 141). Such a scheme of work can be made a condition of consent. I would be happy to prepare a brief for the archaeological work and provide a list of contractors who are able to carry out such work in the area.

16. Conservation and Historic Buildings Officer

Elton Parish Church is a grade II* listed building. Section 72 of the Planning (Listed Building) Act requires that Local Planning authorities to give special consideration to the desirability of preserving a listed building or its setting. Due to the location of the proposed dwelling in close proximity to the church boundary it is considered that the development has the potential to impact on the setting of the grade II* listed church.

The application site is a narrow strip of land between the graveyard and Glebe Farm a modern bungalow. The ground rises slightly towards the church and the church is set at an angle to the road and does not align with the bungalow. Whilst the application site is narrow and adjoins the boundary of the church, the church is set centrally in the plot and a degree of openness will be retained between the church and the proposed property.

This spatial relationship would not be unlike others found in the village which has lost its original character and experienced significant modern infill residential development. In this regard it is considered that sufficient visual separation would be retained between the proposed dwelling and the church and that the proposal would not immediately impact on the setting or character or appearance of the church. In addition there are past planning applications and relevant appeal decisions relating to the site (in 2004 & 2009) that accepted the principle of development of a dwelling in this location in relation to the setting of the listed church.

However, the dominance of the built form of the proposed dwelling when viewed in relation to the church is critical to ensure the appreciation of the listed building is not diminished by the new dwelling. The detailed design of the property will be crucial to ensure an appropriate form of development. Although the application is an outline with all design matters reserved it indicates that a 4 bedroom, detached property is proposed. This dwelling would appear as a significant structure when viewed in direct relationship with the demure proportions of the church and the low height of the bungalow at Glebe Farm and consequently could detract from the setting of the church. I would therefore suggest that a house of this scale and form is unlikely to be supported for the reasons set out above. Notwithstanding this, I would not object to the construction of a dwelling here providing it was of limited scale and of a high quality design that respected the setting and scale of the church.

17. Northumbrian Water Limited

In making our response Northumbrian Water assess the impact of the proposed development on our assets and assess the capacity within Northumbrian Water's network to accommodate and treat the anticipated flows arising from the development. We do not offer comment on aspects of planning applications that are outside of our area of control. Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make.

18. Northern Gas Networks

No objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable. We enclose an extract from our mains record of the area covered by your proposals together with a comprehensive list of precautions for your guidance

19. Northern Powergrid; Councillor Andrew Stephenson

No comments received

PUBLICITY

20. Neighbours were notified and 12 letters of objection were received and 7 letters of support. The comments received are set out below:-

Letters of Objection

21. Mr Carl Blenkinsop, Glebe Farm Cottage Glebe Farm

I wish to object to the above application situated in the land immediately between Elton Parish Church and my property, Glebe Farm Cottage. The proposed 'Eco Executive 4-Bed Detached Dwelling' would harm the character and appearance of the adjacent Grade II* Elton Parish Church and clearly affect the surrounding area.

An infill housing development would be unacceptable due to the limited services the village provides in this location outside of the main Stockton on Tees conurbation meaning that it is not a sustainable location for a residential development, with a reliance on cars for work, schools and shopping etc.

I note that the building is to be an 'Eco Executive Home' surely there are more suitable and sustainable locations for this within Stockton on Tees and these features, do nothing to overcome the argument for the property.

Finally, in asking you to consider my objections I would also point out that the site has had a recent history of refusals, both at Planning and Appeal Stages.

22. Mr Michael Turner, Home Farm House Darlington Road Elton

I am objecting to the proposed development at Glebe Farm as a member of St. Johns Church, Elton. This objection also applies to my wife Mrs D. Turner who is a member of the PCC for St Johns Church. We are objecting on the following grounds:-

The development will significantly affect the setting, street scene and structure of the Grade II* listed building adjacent, which is St Johns Church. The size and position of the proposed building will not only dominate the view and setting of the Church from the road but the west elevation of the building will dominate the view of those entering the Church. This is contrary to the requirements and provisions of National Planning Policy Framework paragraph 132. The Grade II* building must be considered as "exceptional".

The proposed building overlooks the burial grounds to the front and rear of the Church leading to a significant lack of privacy to those attending burials.

The proposal is a significant overdevelopment of a very small site and is totally out of proportion not only for this site but for the village of Elton where properties are more logically and reasonably spaced.

I wish the following point to be added to my previous objection.

The Stockton-On-Tees Borough Council "Future of Rural Villages 2012 Report" for the Local Development Plan assessed Elton as a Tier 3 Village. There has now (April 2014) been a significant change to the accessibility of Elton due to the removal of the bus service. I believe a new assessment of Elton would now put the village in the Tier 4 category. As such by Stockton Borough Councils own criteria it would be inappropriate for infill development.

23. Richard And Deborah Batley, Red House Darlington Road, Elton

I am concerned that having only purchased my property less than 9 months ago that such a proposed development is a significant change to the area. I am concerned it will impinge on privacy and will overlook my property. It will also change the outlook, excluding views of Elton parish church and beyond

24. V Roddam, Kirkside Darlington Road, Elton

Elton Village was given a tier 3 rating by a rural village survey carried out by Stockton Borough Council. This defined Elton Village as being unsustainable due to lack of facilities for any further building applications to be approved. Means of access could be a problem now that Darlington Road has become a fast and dangerous road for through traffic using as a short cut via Longnewton. A recent accident on Darlington Road involved a lamppost being knocked down by a vehicle.

25. Mrs Elsie Mallinson, Rose Cottage Darlington Road Elton

I feel strongly that this is an overdevelopment of the site. The proposed house will be obtrusive and not fit into the village area. So close to the church yards I wonder about disturbance to land and graves. No main line sewerage in the village and again a very small site for a necessary septic tank. Finally I was under the impression that the council had decided that there would be no further building development in gardens in the village.

26. A And D Wieland, Coatham Gill, Elton,

We feel the proposed building will totally dominate St Johns Church. This church has been standing on this site in Elton for hundreds of years. We feel that it would be an indefensible act to build so close to this Grade II* building and its church yard, We were recently informed by a member of the Planning Department that there was to be no more infill building in Elton due to the lack of amenities such as schools, shops etc. For both these reasons we feel the application should not be allowed.

27. M W Simpson, The Trees Elton

Following my recent meeting with you, I would like object to the above planning application for the following reasons. A modern 2 Storey building would be very obtrusive so close to the old church which I understand is a grade 2 listed building. I also understand that the village is already in Tier 3 in your scales for sustainability and is losing its bus service in April this year. Presumably this makes it even more unsustainable. Finally the overall site plan seems to me like trying to squeeze a quart into a pint pot.

28. Mr And Mrs Overin, The Orchard Darlington Road

We object to the proposed planning application on the basis that there is not a sustainable infrastructure in Elton to Support additional housing/residents. The building will dominate the Church which is a grade II listed building and has been at this location since the 11th century. The application states that mains drainage will be used for waste removal. There is no mains drainage in Elton and therefore a septic tank is necessary. We dispute the argument that one additional building will have an impact on retaining a viable bus service or a sustainable local economy. There will soon be no bus service and there is no local economy.

29. Mrs M Oliver, 17 Woodland Way Long Newton

With reference to the above proposal I am opposed to a private dwelling so close to St John's Church and the churchyard in Elton as it will affect the appearance of the church. People visiting the churchyard would not have any privacy. The proposed dwelling is only yards away from existing graves. New burials are still taking place. Cremated remains are also buried in the churchyard.

In due course the new graves will be very close to the proposed dwelling. The churchyard is consecrated. One reason for consecration is to protect those buried in the churchyard and the church site from adverse development. I am a regular church goer of St John's, Elton and a member of the Parochial Church Council.

30. Mr Philip Ashdown, 11 Lorne Court, Stockton-on-Tees

I became priest-in-charge of Elton with a responsibility for Elton Parish Church in September 2009. I am writing to state my objections to this proposal.

Overlooks a place of burial leading to a loss of privacy: The Grade 2* church is in regular use for worship on Sunday morning and once a month on Sunday evening. Funerals and weddings also take place there during the week. The church and churchyard are also regularly visited by those mourning a relative buried in the churchyard. I am aware of at least one family grave visited on a number of days each week. Other graves are also regularly visited and cared for by grieving relatives. Anyone who lives within the parish boundaries has the right to be buried in Elton churchyard, not just people who come to church. This year (2014), there have so far been 2 burials plus an interment of ashes in Elton Churchyard. Churchyards have been respected as places of quiet, not overlooked by residential accommodation. Relatives can be tearful when visiting graves of loved ones. In the proposed house I am very concerned about the large windows in the dining area which will overlook recent burials and allow grief to be observed by those winning and dining. There are also other windows e.g. at the main bedroom, which overlook this place of burial and family remembrance. As more burials take place, the site of these new graves will move closer and closer to the proposed house. Also as more interment of ashes (In the south east corner of the churchyard) occur, the area of new interment will move closer to the proposed house.

The visual impact on the church building: The proposed modern 2 story building will totally dominate the visual impact of the church, and radically alter the way the church is now perceived. The proposed building will be taller than the church, and Glebe Farm bungalow. Solar panels will again be a very striking feature dominating the impact of this old church when viewed from the road. The proposed building may affect the light and could overshadow the church and churchyard.

The church has a national significance having inside the first commission (the rood screen) of the architect Sir Ninian Comper, It is visited by those from Stockton and beyond, for whom old country churches have a beauty and character. For example every year during the Northumbria Historic Churches 'Steeplechase', visitors from the North East come to see the church. The church is also used for concerts by the group Collegium Vocale, bringing more visitors to admire the church and its setting.

Faculty jurisdiction: The name Glebe suggest that the farm was in the past associated with the church: this no longer is the case. It is possible that in the building work, human bones that have been buried will be uncovered. Any excavation near the boundary could affect human remains within the consecrated churchyard. As you are aware, the Faculty jurisdiction of the Chancellor of the Diocese of Durham may apply.

31. Mrs Dorothy Blackburn, 237A Bishopton Road West Stockton-on-Tees

As a Church Warden of St. John's Church, Elton I wish record my disapproval of the building of a 4 bedroom house so near to the church. The churchyard at the back of the church is an open one which means that burials are still able to take place. I feel that it is grossly unfair for families mourning loved ones to be overlooked in their loss. I know that people who have buried their nearest and dearest value the privacy that is afforded to them now. I do hope that this planning application is refused, particularly on the grounds of the church as well being a listed building.

32. Mrs Doreen Everson; 12 Reeth Road Stockton-on-Tees

This building will closely overlook a live burial site, major windows will overlook burials and grieving families giving them no privacy whatsoever at the sad times of their bereavement. This church is a Grade2 listed building and should be respected as such, there has been a church on this site since the 12th century continually in use. The area of Glebe Farm is already overdeveloped and the access onto Darlington Road would be of two properties with one drive.

Letters of Support

33. Mr Andrew Edwards; 75 Hartburn Village Hartburn

I would like to register my support for the above planning application as I believe it would help to support local facilities.

34. Michael Carlin, 35 Greens Valley Drive Stockton On Tees

Please take this letter as my formal support for the Glebe Farm, Elton, Stockton on Tees Planning application. I am of the opinion that approval of this scheme will help to drive forward a zero carbon future in line with the Governments proposals for zero carbon buildings in 2016.

35. Mark and Jacqueline Elliott, 3 Brisbane Grove Stockton On Tees

Please accept my formal support of application No. 14/0588/OUT this application if approved will provide a dwelling which would contribute to Stockton on Tees Borough Councils short fall in their deliverable 5 year housing supply.

36. Mr M Edwards, 28 Harsley Road Hartburn

I would like to support the proposed development of an Eco Executive Dwelling at Glebe Farm, Elton, Stockton on Tees, TS211AG. As I am of the opinion that this proposal would enhance the setting of the adjacent listed Church, and contribute to the support of local services and facilities, as well as contributing to the much needed 5 year housing supply. The approval of appropriate Village schemes, especially on brownfield sites, is far better than the mass approvals that we are currently experiencing on green field land. Approval of this scheme would help to increase the sustainability of Elton and other nearby Villages.

37. Mark Elliott, 3 Brisbane Grove Stockton On Tees

Please accept my formal support of application No. 14/0588/OUT this application if approved will provide much needed support for local services & facilities.

38. Mr Mark Barrett, Little Maltby Farm Low Lane

I would like to formally express my support in relation to the Glebe Farm, Elton. I believe approval of this scheme would aid support of local services including the possibility of reinstating the closed bus service if other similar schemes are also passed.

39. Mrs J Calvert, 32 Meridian Way, Stockton on Tees, TS18 4QH

I would like to fully support this proposal as Stockton is short of their housing quota and I am in favour of eco-friendly housing as it is part of Stockton's ethos of sustainability. old and new work well together an example is the high street. I cannot understand the reasons of objection from people referring to privacy when burials take place as when a person is grieving you're not aware of the people who attend the funeral never mind looking to see what buildings are about.

PLANNING POLICY

40. Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan.

41. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

National Planning Policy Framework

42. Paragraph 14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the

benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

Local Planning Policy

43. The following planning policies are considered to be relevant to the consideration of this application

Core Strategy Policy 1 (CS1) - The Spatial Strategy

2. Priority will be given to previously developed land in the Core Area to meet the Borough's housing requirement. Particular emphasis will be given to projects that will help to deliver the Stockton Middlesbrough Initiative and support Stockton Town Centre.

3. The remainder of housing development will be located elsewhere within the conurbation, with priority given to sites that support the regeneration of Stockton, Billingham and Thornaby. The role of Yarm as a historic town and a destination for more specialist shopping needs will be protected.

5. In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy.

Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

1. All new residential developments will achieve a minimum of Level 3 of the Code for Sustainable Homes up to 2013, and thereafter a minimum of Code Level 4.

3. The minimum carbon reduction targets will remain in line with Part L of the Building Regulations, achieving carbon neutral domestic properties by 2016, and non domestic properties by 2019, although it is expected that developers will aspire to meet targets prior to these dates.

4. To meet carbon reduction targets, energy efficiency measures should be embedded in all new buildings. If this is not possible, or the targets are not met, then on-site district renewable and low carbon energy schemes will be used. Where it can be demonstrated that neither of these options is suitable, micro renewable, micro carbon energy technologies or a contribution towards an off-site renewable energy scheme will be considered.

8. Additionally, in designing new development, proposals will:

_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;

_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;

_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;

_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

Core Strategy Policy 10 (CS10) Environmental Protection and Enhancement

9. New development will be directed towards areas of low flood risk, that is Flood Zone 1, as identified by the Borough's Strategic Flood Risk Assessment (SFRA). In considering

sites elsewhere, the sequential and exceptions tests will be applied, as set out in Planning Policy Statement 25: Development and Flood Risk, and applicants will be expected to carry out a flood risk assessment.

Core Strategy Policy 11 (CS11) - Planning Obligations

1. All new development will be required to contribute towards the cost of providing additional infrastructure and meeting social and environmental requirements.
2. When seeking contributions, the priorities for the Borough are the provision of:
 - _ highways and transport infrastructure;
 - _ affordable housing;
 - _ open space, sport and recreation facilities, with particular emphasis on the needs of young people.

Saved Policy HO3 of the adopted Stockton on Tees Local Plan

Within the limits of development, residential development may be permitted provided that:

- (i) The land is not specifically allocated for another use; and
- (ii) The land is not underneath electricity lines; and
- (iii) It does not result in the loss of a site which is used for recreational purposes; and
- (iv) It is sympathetic to the character of the locality and takes account of and accommodates important features within the site; and
- (v) It does not result in an unacceptable loss of amenity to adjacent land users; and
- (vi) Satisfactory arrangements can be made for access and parking.

Saved Policy EN28 of the adopted Stockton on Tees Local Plan

Development which, if likely to detract from the setting of a listed building will not be permitted.

Saved Policy EN30 of the adopted Stockton on Tees Local Plan

Development, which affects sites of archaeological interest, will not be permitted unless:

- (vii) An investigation of the site has been undertaken; and
- (viii) An assessment has been made of the impact of the development upon the remains; and where appropriate;
- (ix) Provision has been made for preservation 'in site'.

Where preservation is not appropriate, the Local Planning Authority will require the applicant to make proper provision for the investigation and recording of the site before and during development.

MATERIAL PLANNING CONSIDERATIONS

44. The main considerations would be the principle of the development including the sustainability of the site; the impacts on the character and appearance of the area, impact on the adjacent listed church, impact on residential amenity; archaeology, highway safety and drainage.

Principle of development

45. The National Planning Policy Framework (paragraph 14) states 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.' For decision taking this means 'approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted'.

Five Year Supply

46. Adopted Core Strategy policy CS1 provides the Spatial Strategy for the Borough focusing development in the Core Area (point 1) and advising that 'the remainder of housing development will be located elsewhere within the conurbation'. However, the Council is unable to demonstrate a five-year supply of deliverable housing sites (The recent calculation (base date of 31 March 2014) shows that the authority has a deliverable housing supply of 4.08 years with a 20%, however this calculation does not include the two planning applications approved on the 1 April 2014, for 900 dwellings at Wynyard) and in accordance with paragraph 49 of the NPPF policies in the development plan that deal with housing supply are therefore to be considered out of date and proposals should be considered in the context of the presumption in favour of sustainable development.
47. Whilst the Council are unable to identify a five-year supply of deliverable housing sites the proposal is for a single dwelling which will have limited impact upon addressing this issue and it is considered that this does not weigh strongly in favour of the development if the site is considered to be in an unsustainable location.

Sustainability

48. One of the core land-use planning principles, in the National Planning Policy Framework is *"the need for planning to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable"*.
49. The application site lies within the village of Elton, which has particularly restricted services and provisions in regard to schools, shops, leisure uses and employment. In order to establish the levels of facilities available within the Borough's rural villages and assess their sustainability, the Local Planning Authority has recently updated the Planning the Future of Rural Villages study as an evidence base for the Local Plan and is also currently being updated as can be seen in the Spatial Planning Officers Comments at Paragraph 11.
50. The outlying villages have been grouped into tiers based on their sustainability, with tier 1 being the most sustainable and tier 4 being the least, only those villages falling within either tier 1 or 2 have been considered sustainable enough to accommodate further infill housing. Elton Village lies within tier 3 and is therefore not considered to be suitable for any further housing. Despite the status of the Core Strategy and supporting documents (which were advanced but at that time not formally examined) at the time of consideration of the previous appeal at the site, the inspector found *"the analysis persuasive, even allowing for the projected improvements in bus services"*.
51. The Agent has stated the "Planning for Rural villages study" contains anomalies in that Elton Care Home should increase the sustainability of the village as it provides employment, residences for family and friends of Elton and also holds community events and as such be considered as a community facility. The Manager of the Care Home has confirmed it holds a small number of fetes and some coffee mornings which can be attended by the villagers and also has a training room that can be used for "appropriate events" such as meetings, as the home needs to be mindful of its main use as a care home and the residents' welfare. The village scored 5 points in as the site could access notable employment via bus but this bus service has been removed. The village does not have "Notable Employment within village" and therefore did not score the maximum number of points (7). Whilst the facility does hold limited community events this is limited and could not be awarded a higher score as a "leisure/community facility". The Agent also claims that the church should be considered a community facility, however this is small church with no church hall for community use and therefore the presence of the church was acknowledged and scored a 2 in the category of "No community facilities but general ancillary facilities". The additional information supplied by the Agent was reviewed by the Spatial Planning Team who have confirmed that there are no anomalies in the document and the scoring as a Tier 3 village is correct but in the forthcoming review this village could score even lower due to the removal of the bus service making it a possible Tier 4 village.

52. Residential development in this location would require its occupants to rely heavily on the private motor vehicle for the vast majority of trips associated with education, leisure, employment and shopping uses. This dependence on private cars is contrary to the guidance contained within the National Planning Policy Framework, which effectively requires new housing development to be located within sustainable locations. It should be noted that the removal of the bus services has further reduced the ability for residents to access services and facilities by sustainable means. The Planning Inspectorate in 2009 stated *“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”* and the appeal was dismissed with the Inspector concluding *“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”*.
53. The appeal decision mentioned earlier in the report for 3 Darlington Road Elton (APP/H0738/A/12/2188644) was dismissed due to the unsustainable location of the development. Whilst the site was outwith the limits to development the Inspector commented *“I consider that the vast majority of trips which would be made from the appeal site for work, shopping, leisure and educational purposes would be made by private car. The nearby village of Elton seems to be totally devoid of local services and I am advised that, in recently updating its Planning for the future of rural villages in Stockton as part of its evidence base for the preparation of its Local Development Framework, the Council has concluded that Elton should be considered as a “tier 3” settlement, not suitable for further housing development. In my view, the appeal site is not in a sustainable location”*.
54. The Agent has attempted to quantify the “harm” caused by the development as the carbon emissions that would be associated with the development in this unsustainable location and that by the use of “vibration sun technology” this would overcome the harm. It should be noted that the previous application refused at the site (08/2318/OUT) also proposed the use of methods to offset carbon emissions with the Design and Access Statement detailing *“The use of Ground Sourced Heat Pumps, Solar Panels, Wood Burning Stoves for cooking and heating will be employed. Additional insulation will be added to the fabric of the structure. A system of Rain Water Harvesting will be used”*. Nonetheless, that application was dismissed on appeal with the inspector stating *“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”*.
55. Whilst this argument has been accepted in a neighbouring authority, it is the opinion of the Head of Planning that sustainability cannot be defined and quantified by just carbon emissions. In fact this is further demonstrated by the Governments commitment to achieve Zero Carbon homes in all areas (by 2016) and the incorporation of such features to achieve this would not be sufficient to outweigh local planning policy and one of the core principles of the National Planning Policy Framework which is that planning should *“actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.”* It is considered that whilst the provision of a code 6 home is commendable, it does not justify the erection of a dwelling in an unsustainable location where a non-driver could live, leaving them isolated and unable to access services in a sustainable manner
56. To support this view a recent appeal decision stated *“it is anticipated that the building could thus not only achieve Code Level 6 of the Code for Sustainable Homes, but exceed it. I have no reason therefore to conclude that the proposed building would not achieve its design objective of using a combination of available technologies to create a ‘carbon negative’ dwelling ... However, the building would use materials and employ technologies that are now well established, and often used in combination. A number of houses have been built to Code Level 6 standard and by 2016 this will be required for all new dwellings”* (APP/P1133/A/12/2168713).

57. It is therefore considered that the development is in an unsustainable location and even with the erection of a zero carbon home which will become a standard requirement in the coming years, this would not outweigh the concerns over the siting of the dwelling in a village with limited services and facilities and the development is therefore contrary to one of the core principles in the National Planning Policy Framework as detailed above.

Support of Local Services

58. The Agent and supporters of the scheme states that this development would assist in supporting local services, however with limited services in the village it is considered that this does not justify a single dwelling for this reason.
59. The local bus service was removed from the village, however villages were offered the opportunity to apply for funding with the Head of Technical Services stating in direct response to the removal of the bus service *“there will be £400,000 funding available to help set up alternative schemes with voluntary and community groups.”* It is understood that there has been no take up of funding to provide alternative schemes to Elton, and therefore again a single dwelling will make little difference.

Weight to be accorded where the local *planning authority cannot demonstrate a five-year supply of deliverable housing sites*

60. Of particular relevance is an appeal decision (APP/H0738/A/12/2188644) for a site, 3 Darlington Road, Elton which lies approximately 1km east of Elton (towards Stockton) states *“Paragraph 49 of the Framework indicates that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. There is no evidence before me to suggest that this is the case, but, as I have concluded that this is not a sustainable location for new housing, any such shortage would not, necessarily, count in favour of the development”.* A copy of this appeal and a plan showing the two sites is attached at Appendix 9.
61. Outside of this Authority a further appeal decision which supports this views states *“As for the contribution that could be made to meeting the Council’s need for a five-year housing land supply, the addition of a single dwelling would make very little difference either way. This is clearly not a sustainable location for new housing, being remote from any settlement, facilities and services, including public transport. These and the other matters raised do not, therefore, outweigh the conclusions reached on the main issue of this appeal. (APP/P2935/A/13/2191370) and another states “Even though the Council may not be able to demonstrate a five-year supply of housing land, the adverse impact of permitting such a form of unsustainable development would significantly and demonstrably outweigh the limited benefit of providing one new and one renovated dwelling in a peripheral location, especially as these would not meet local needs, particularly for affordable housing (APP/U1105/A/13/2200278).*
62. Overall it is considered that the provision of a single dwelling in a location that is considered to be unsustainable is not considered to be acceptable despite the lack of a five year supply and it is considered that there are no material considerations that would outweigh this conclusion as detailed above.

Impact on the character and appearance of the area.

63. The proposed development is for a detached dwelling house to the west of the host dwelling, which is a bungalow with a wide frontage. The application in 2004 was refused as the local planning authority was of the opinion that the development *“The erection of a detached dwelling would also constitute an overdevelopment of the site”* and this was cited as part of the reason for refusal. The Inspector in 2004 allowed the appeal and stated the

development “*would echo the spacing of the group opposite. It would reflect the variety and grain of the development at this part of the village.*”

64. Whilst this appeal decision is a material planning consideration, it is still the opinion of the local planning authority that the development would appear as being “shoehorned” into the site and does not reflect the pattern of development of the remainder of the village which is generally large detached dwellings with generous spacing between. The dwellings opposite are historic and are now considered to be an exception to the village layout.
65. The Head of Technical Services has considered this scheme and from landscape and visual perspective objects to the proposal as the development as shown on the indicative plans is very close to the boundary of Elton Parish Church allowing for no meaningful space for planting to soften the proposal. The Head of Technical Services consider the development to appear very tight on the site with limited amenity garden space and consider this to be out of keeping with the local settlement pattern within the village.
66. Whilst the local planning authority are of the opinion that the development will have an adverse impact on the character and appearance of the area and consider the scheme to be a cramped form of development, given the appeal decision in 2004 that dismissed this view, the opinion would not warrant refusal of the current application on these grounds.

Impact on the Grade II* listed Church

67. The adjacent church known as both Elton parish Church and Church of St John the Baptist is a grade II* listed building and accordingly English Heritage were consulted on the proposal. Policy EN28 states developments that will detract from the setting of a listed building will not be acceptable.
68. In 2004, the Local Planning Authority considered that the provision of a dwelling within this location would adversely affect the character and setting of Elton Parish Church, however the Planning Inspectorate considered that a dwelling in this location, given the space between the application site and the church itself was sufficient to provide a 'visual distinction'. Since the appeal in September 2004, which ruled that development on this site would not have an adverse impact on the church, English Heritage has developed guidance on the contribution that setting makes to the significance of heritage assets. Based on this guidance, English Heritage confirm that the proposal will affect the significance of the asset as, although the two will be visually distinct, it changes the way we experience and appreciate the church, primarily because of the visual impact but also by intruding on its detached and intimate character. It is acknowledged that there has been previous development in this location, but the buildings on the plot to the east had a direct and vital relationship with the church; a 'glebe' is land that serves a clergyman and provides income, so the farm and rectory that used to occupy the site actually contributed positively to the setting and significance of the church as it informed our understanding of how the site functioned on a practical level. This relationship has been lost over time and will not be revealed by the present proposal, and as such the significance of the setting of the church now lies in its strong aesthetic qualities, derived as much from the spaces between the buildings as the buildings themselves.
69. They advise, this harmful impact on significance will be less than substantial but will amount to a degree of harm that requires justification in line with paragraphs 132 and 134 of the National Planning Policy Framework. Paragraph 134 states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”. It is considered that there are no public benefits of the proposal, however English Heritage suggested that, if the principle of development is accepted, amendments should be made to the proposal that will mitigate the harm and preserve those elements of the church's setting that make a positive contribution to its significance. Reducing the height of the building would help lessen its visual impact, while

landscaping that screens the development will help retain the relationship the building has with the natural environment and the sense of detachment that is key to the asset's aesthetic values.

70. This view was supported by the Councils Historic Buildings Officer who states the dominance of the built form of the proposed dwelling when viewed in relation to the church is critical to ensure the appreciation of the listed building is not diminished by the new dwelling. Although the application is an outline with all design matters reserved it indicates that a 4 bedroom, detached property is proposed. This dwelling would appear as a significant structure when viewed in direct relationship with the demure proportions of the church and the low height of the bungalow at Glebe Farm and consequently could detract from the setting of the church.
71. It is considered that the detailed design of the property will be crucial to ensure an appropriate form of development of limited scale and of a high quality design that respects the setting and scale of the church. Following discussions it was considered that any dwelling should reflect the height of the existing detached bungalow and should the application be recommended for approval a condition could be added to limit the height of the dwelling to that of the host property (approximately 6 metres in height). The current layout although indicative would not allow any meaningful landscaping on this boundary and therefore it is likely that a much smaller dwelling will need to be built to allow the space for additional landscaping to be planted.
72. Concerns have been raised regarding the possible intrusion and loss of privacy for the people who will attend funerals and visit graves of loved ones. This was a matter that has been addressed in the 2004 appeal where the inspector stated "*The matter of privacy of those attending burials in the graveyard has been raised. I consider that the level change between the appeal site and the graveyard would overcome this aspect to some extent and the detail design of the proposed dwelling as well as landscaping of the site, which are subject to a further submission, would all combine to provide adequate means to address it.*" It is therefore considered that this loss of privacy would not warrant refusal of the application.
73. Overall it is considered that the development will have a degree of harm that will be less than substantial and the development has no public benefits that would outweigh this harm, however it is considered that should the application be approved this would be on the basis that the proposed dwelling is similar in height to the host dwelling and the footprint will be reduced to allow landscaping to be planted on the boundary

Impact on residential amenity

74. The application site lies between Elton Parish Church and the Host property Glebe Farm, Glebe Farm Cottage is located to the rear of the host property
75. Whilst full details of the layout and final location of the proposed development have not been provided with the application, a brief assessment has been made on the basis of a property constructed in the position as shown on the indicative proposed site plan.
76. The host property has an integral garage and the windows on the elevation adjoining this plot appear to serve the garage. It is considered that with careful design and thought given to the positioning of windows a modest dwelling could be built without having an adverse impact on this neighbour.
77. Glebe Farm Cottage is located to the rear of the host property and to the north east of this proposed development. On the southern elevation (which would look onto this site), there are two habitable room windows (shown as a bedroom and a dining room on the most recent application for the property) and a orangery. The proposed development is offset and whilst a degree of overlooking and a loss of privacy could occur for both properties it is

considered that the dwelling could be designed to limit this occurring, especially if the development is kept to single storey.

78. Overall it is considered that a development could be achieved that would and not have a significant adverse impact on residential amenity; however this would subject to further consideration of plans showing a detailed design and layout.

Impact on archaeology interests

79. Elton is a medieval settlement and Tees Archaeology has been consulted on the proposal as the site lies within an area of archaeological interest. Saved Policy EN30 states development in these areas will not be permitted unless an investigation of the site has been undertaken; and an assessment has been made of the impact of the development upon the remains; and where appropriate provision has been made for preservation 'in site'. Where preservation is not appropriate, the Local Planning Authority will require the applicant to make proper provision for the investigation and recording of the site before and during development.
80. Tees Archaeology confirmed that knowledge of churchyards within the district of Stockton suggests that their boundaries are known to change over time and it is possible that the burial ground may have extended further eastwards at some point in the past and there is also a tradition of burying certain individuals outside of consecrated ground. The site is therefore of archaeological interest and has some archaeological potential. This potential is offset by the fact that a previous building has occupied much of the footprint of the proposed new build.
81. The proposal has the potential to have an impact on the significance of archaeological remains relating to the medieval settlement at Elton and its churchyard. In this case it is recommended that the developer secures a programme of archaeological work to take place during ground disturbance in order that any archaeological deposits (including human remains) can be properly recorded prior to their destruction. Should the application be recommended for approval, a scheme of work can be made a condition of approval.

Highway safety

82. The application site will be accessed utilising the existing drive. The access is approximately 5m wide. The host property has a detached garage and ample space for car parking and it is considered that adequate car parking can be achieved on site for the new dwelling.
83. The Head of Technical Services has viewed the proposed scheme and from a highway perspective consider the access to be sufficient to allow 2 cars to pass and adequate visibility is available. The proposed access which forms part of this application is therefore considered acceptable
84. Incurtilage car parking for both the existing and proposed dwellings should be provided in accordance with SPD3: Parking Provision for Developments 2011 and this would be considered and determined at reserved matters stage.

Drainage

85. Concerns have been raised by a number of objections regarding flooding and drainage. The application site is within flood zone 1 and should the application be approved, with the use of permeable materials it is considered that this development would not increase any problems with flooding.
86. Northumbrian Water has confirmed they have no objections to the proposed scheme. There are no mains sewers within the vicinity of Glebe Farm or Elton which could be used

for a connection for the proposed new dwelling. The applicant has confirmed that the development will use a septic tank

87. Overall it is considered that drainage could be adequately managed should the scheme be approved.

Other Matters

88. Environmental Health have recommended the hours of construction should be controlled to protect neighbours residential amenity. Should the application be approved this can be controlled via condition.

CONCLUSION

89. In view of the above it is considered that that development is in a location that is considered to be unsustainable and as a consequence the proposed development is considered to be contrary to the guidance set out in the National Planning Policy Framework, and there are no overriding factors that could deem the application to be acceptable. It is therefore recommended that the application be refused.

Corporate Director of Development and Neighbourhood Services
Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062

WARD AND WARD COUNCILLORS

Ward Western Parishes
Ward Councillor Councillor Andrew Stephenson

IMPLICATIONS

Financial Implications:

As Report

Environmental Implications:

As Report

Human Rights Implications:

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

Community Safety Implications:

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

Background Papers:

*National Planning Policy Framework; Stockton on Tees Local Plan Adopted Version June 1997; Core Strategy Development Plan Document March 2010; Supplementary Planning Document 3: Parking Provision for New Developments
Application File 14/0588/OUT*