
Appeal Decision

Site visit made on 3 October 2016

by Andy Harwood CMS MSc MRTPI

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

Decision date: 04 November 2016

Appeal Ref: APP/V0728/W/16/3152886

Land opposite Hillrise, Liverton, Saltburn TS13 4SY

- 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 and Mrs Souter against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2015/0599/CA, dated 18 September 2015, was refused by notice dated 1 December 2015.
 - The development proposed is a proposed dwelling and private driveway.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether this is a suitable site for the proposed dwelling having regard to accessibility of the location to services and facilities as well as the needs of the appellants.

Reasons

3. The appeal site is a large field on the edge of a rural settlement between existing houses and a public house (the Water Wheel Inn). The main concentration of dwellings is to the north of the site and I noticed that there is a village hall and a church much further along the road.
4. The Core Strategy¹ (CS) and The Development Policies DPD² (DPD) are of significant age. However the National Planning Policy Framework (the Framework) makes clear at paragraph 215, that due weight should be given to relevant policies according to their degree of consistency with the Framework. Policies should not be considered out of date simply because of their age or because they predate the Framework.
5. CS Policy CS2 guides development to settlements and states that in the countryside development will be limited to rural needs. There are a number of stated aims of the CS such as (amongst other things) to support a balance between urban and rural regeneration, supporting the function of settlements and to deliver sustainable development including reducing the need to travel.

¹ Redcar and Cleveland Local Development Framework Core Strategy Development Plan Document adopted July 2007

² Redcar and Cleveland Local Development Framework Development Policies Development Plan Document, adopted July 2007

Policy DP1 confirms that development beyond development limits will be restricted to various rural based enterprises and needs.

6. The Council states that there are sufficient sites to enable a 5 year supply of housing and this is not disputed by the appellant. There is no submitted evidence to lead me to a contrary view. In other respects as well, from the evidence before me the relevant Policies within the CS and DPD appear to be generally consistent with the Framework and I can give them full weight.
7. Liverton and Liverton Mines are confirmed as being villages within the scope of these policies but the Council states that the site is outside of any development boundary as defined by the CS. I have not been provided with a copy of any proposals map that accompanies these Policies but the appellant does not suggest that the site is inside a defined development boundary. Although the site is close to some services, other than those I have referred to, facilities are very limited. Other facilities and services are available much further north within more concentrated settlements. These are beyond easy walking or cycling distance for most people. The road leading to the main concentration of services has some footpaths alongside it but these are not continuous. The route is largely unlit and that would not encourage occupants of the proposed dwelling to walk or cycle to these larger settlements. In my view the prospective residents would be likely to rely upon private vehicle use to reach most essential services and as such it can be considered in these terms as an isolated location for the purposes of the Framework.
8. The appellants have provided evidence that there has been a dwelling on site in the past. However, there is very little physical sign of that. The remains appear to have blended into this part of the rural landscape as they are overgrown and there is no dwelling to replace, which could otherwise be allowed for by DPD Policy DP1. I do not consider that the site can be considered as previously developed land for the purposes of the CS, the DPD or the Framework. The past history of use is of very little weight.
9. Some reference is made by the appellants and others to Mr and Mrs Souter working within agriculture and also assisting with nearby tourist accommodation and the village hall. Very little information is provided about this. The evidence is insufficient for me to consider that there is an essential need for the appellants to live permanently at the site. I note as well that the appeal and application forms give the appellants' address as Hillrise which is opposite the site. It is not clear why these needs should require a further dwelling nearby.
10. In relation to the main issue the site is unsuitable for the proposed dwelling having regard to accessibility to services and facilities as well as the needs of the appellants. This would not comply with CS Policy CS2 nor DPD Policies DP1 and DP2. There do not appear to be special circumstance to justify a dwelling in this isolated location as required by the Framework.

Other Matters

11. There is no objection to the proposal from Loftus Town Council which also supports small developments sympathetic to the local environment. Some local residents also support the proposal. The proposed design of the dwelling would not look out of place alongside other buildings constructed of local

materials. These matters however do not outweigh my conclusion on the main issue.

Conclusion

12. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be dismissed.

Andy Harwood

INSPECTOR