
Appeal Decision

Site visit made on 24 January 2017

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 21 February 2017

Appeal Ref: APP/X1355/W/16/3162927

Crawley Edge, Crawleyside Bank, Stanhope DL13 2DX

- 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 & Mrs Michael Leatherland against the decision of Durham County Council.
 - The application Ref DM/16/01460/FPA, dated 4 May 2016, was refused by notice dated 20 September 2016.
 - The development proposed is erection of a detached, 3 storey house with integral garages.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether, having regard to the location of the appeal site in relation to services and facilities and in conjunction with national planning policy, the proposal would amount to a sustainable form of development.

Reasons

3. The approach of the National Planning Policy Framework (the Framework) to the promotion of sustainable development in rural areas, set out in paragraph 55, is that housing should be located where it will enhance or maintain the vitality of rural communities. The Framework goes on to note that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.
 4. The site is located outside of the settlement boundary for Stanhope as defined in the Wear Valley Local Plan (LP), although the Council state that the housing policies and the defined settlement limits of the LP are considered out of date.
 5. I saw on my site visit that Crawleyside is a hamlet containing a number of properties but which lacks basic facilities. It is located approximately 1km from the services in the centre of the market town of Stanhope, with pedestrian access via a lit footpath adjacent to the well trafficked B6278 road leading from Stanhope through the area. However, this route has a steep incline which would be a deterrent for pedestrian and cycle movements and which I consider would not be a realistic option for residents of the proposed dwelling who may wish to use these modes of transport.
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6. The appellants have referred to a 'dial-a-ride' bus service which is available in the area. However, the Council have stated that this facility is not available at weekends or in the evenings. Also, the service operates on a 'first come first served' basis so cannot be relied on to meet requests when it is in operation. Therefore, I do not consider that this bus service would provide a significant alternative to a reliance on the private car due to the relative convenience of these modes of transport.
7. I have had regard to the definition of 'isolated' referred to by the appellants. However, for the reasons stated above I consider that the proposed dwelling would be remote from services in the area and would therefore represent an isolated dwelling in the countryside under the provisions of paragraph 55 of the Framework.
8. In support of the appeal, the appellants have referred to new dwellings approved by the Council at Centenary Close to the east of Stanhope, which they state are further away from the Primary School than the appeal site and a similar distance from shops. However, I observed that the main route from the east of Stanhope is relatively level and does not have a gradient similar to the route to the appeal site. On this basis, I do not consider that these sites are directly comparable.
9. My attention has also been drawn to an appeal decision relating to a dwelling at 2 Wear View in Crawleyside which was dismissed due to its detrimental effect on sustainable patterns of growth, amongst other things. The appellants state that access to this site from Stanhope would be via the steepest part of the gradient, which the current appeal proposal would avoid. Notwithstanding this, and based on my observations on my site visit, I consider that the gradient of the route leading to the current appeal site is also particularly steep, and that the Inspector's comments about the steep return walk from Stanhope being a deterrent would also apply in this case.
10. I have had regard to the publications¹ referred to by the appellants in relation to the concept of an isolated dwelling. However, these studies refer to travel distances by motor vehicle and the problems faced by people in rural areas without a car. Even allowing for the variation in sustainable transport solutions from urban to rural areas², I consider that the nature of the route to the site would increase reliance on the private car. The proposal would therefore conflict with Section 4 of the Framework which seeks to promote sustainable transport and the core planning principles of the Framework which state, amongst other things, that the planning system should actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
11. I am mindful of the benefits arising from the proposal. An additional dwelling of the size proposed would add to the supply and mix of housing in the area, albeit to a very modest degree. Residents of the dwelling would add to the support of services and facilities in the area, however this would also be to a very limited degree. The proposal would be of a high quality design and would be built to the Passivhaus standard. However, whilst there may be very few energy efficient buildings of this nature in County Durham, the Passivhaus

¹ Rural and urban areas: comparing lives using rural/urban classifications (Office for National Statistics, 2011) & Transport and accessibility to services (Department of Environment, Food and Rural Affairs, 2014)

² Paragraph 29 of the Framework

standard is well established and I consider that the proposal is not innovative or truly outstanding. Whilst these benefits may ameliorate the harm arising from the proposal, I do not consider that they would outweigh that harm and the conflict with national planning policy.

12. I note that there is a disagreement between the parties as to whether the site is previously developed land. However, even if I were to conclude that the site is previously developed land, I consider that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.
13. I am mindful of the comments made in support of the proposal by a local County Councillor stating that the site is only a few minutes' walk from local services and that the Council has not been consistent when determining planning applications. However, for the reasons stated above I consider that the proposal would be remote from local services when accessed on foot due to the steeply sloping topography of the area. Furthermore, based on the evidence before me, in my view there is no inconsistency in the Council's approach on this issue.

Conclusion

14. Due to the remoteness from local services, the proposal would foster a reliance on the private car and would not comply with the social and environmental roles of sustainable development specified in the Framework. The proposal would not therefore represent an acceptable and sustainable form of development.
15. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR