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# Appeal Decision

Site visit made on 30 May 2017

**by David Cross BA (Hons), PGDip, MRTPI**

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

**Decision date: 21 June 2017**

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**Appeal Ref: APP/H0738/W/17/3167103**

**The Stables, Thorpe Road, Carlton, Stockton on Tees TS21 3LB**

- 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 John Foster against the decision of Stockton-on-Tees Borough Council.
  - The application Ref 16/1545/COU, dated 10 June 2016, was refused by notice dated 12 August 2016.
  - The development proposed is conversion of existing workshop/offices to dwelling.
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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 appeal site consists of a workshop/office building located in a small cluster of dwellings and other buildings between the villages of Carlton and Thorpe Thewles. From my observations of the site and the surrounding area, this collection of buildings appears typical of the small groups of dwellings and associated buildings that can be found within the surrounding open countryside and does not represent a distinct settlement. I also saw that the building is in active use as a manufacturing workshop and is not redundant or disused.
4. The site is located outside of the development limits defined by Policy EN13 of the Stockton on Tees Local Plan 1997. However, the Council states that it is unable to demonstrate a five-year supply of deliverable housing sites, and that this policy should therefore be considered out of date in accordance with paragraph 49 of the National Planning Policy Framework (the Framework). However, whilst Policy EN13 is out of date, this does not mean that it no longer applies although it clearly carries less weight than it would if there were a five year supply of deliverable housing sites.
5. The Council's decision refers to paragraph 55 of the Framework which seeks to promote sustainable development in rural areas and states 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, such as the essential need for a rural worker to live permanently at or near their place of work in the countryside; where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or the proposed dwelling is of exceptional quality or innovative. The proposal would not meet the special circumstances listed in paragraph 55 and it should therefore be assessed on the basis of whether it would represent isolated development.

6. Although the site is located in a cluster of dwellings and other buildings, the appeal proposal would, to all intents and purposes, result in an isolated home in the countryside in that it would be remote from the nearest settlements. Facilities in Carlton and Thorpe Thewles would be accessed via a rural road which is unlit and does not have a designated footway for significant parts of the route. I also saw on my site visit that there is an unlit and unsurfaced footpath leading through the countryside to Carlton. Due to the nature and length of these routes, I consider walking and cycling would not be a convenient option for future occupiers of the dwelling, particularly in the evenings and during the winter months. I have had regard to the observations of the appellant in relation to children walking along the road to the villages, but this does not overcome my concerns in relation to these routes.
7. I note that there is a 'Hail and Ride' bus service which could stop adjacent to the site entrance, although on the basis of the evidence presented to me the frequency and times of operation of this service are limited. I also note that there is a school bus which stops in Carlton. However, I do not consider that these facilities will provide a significant alternative to a reliance on the private car due to the relative convenience of these modes of transport.
8. The appellant contends that the proposal would reduce the number of traffic movements compared to the existing light industrial use. However, the number of traffic movements associated with the workshop has to be balanced against the benefit of providing an ongoing place of employment in this rural area. Furthermore, no evidence has been provided to me that this industrial operation will cease should this development be allowed. The industrial use may therefore continue elsewhere with minimal effect on the overall number of vehicle movements.
9. I have had regard to the benefits that would arise from the proposal and its contribution to sustainable development. In relation to the social role of sustainability, the dwelling would contribute to the mix and supply of housing in a rural area where there is demand for this type of dwelling and a shortfall in supply - although this contribution would be to a very limited degree. In relation to the economic role, residents of the dwelling would contribute to the support of services in the area, although this would also be to a limited degree. The construction of the proposal would also create employment albeit to a limited degree over a limited period of time. In relation to the environmental role, I note that the proposal would represent the use of previously developed land albeit of a limited area. The proposal would also not harm the character and appearance of the area or living conditions of nearby residents, although these matters are neutral in the overall planning balance.

10. In support of the appeal, the appellant has referred to two appeal decisions for the conversion of buildings to dwellings in Cowpen Bewley<sup>1</sup>. However, I note that these proposals were located within a village (albeit one with limited services) and had convenient access to services in a nearby settlement via a designated and lit footway. For the reasons stated above, I do not consider that these factors apply to the proposal before me. Accordingly, the circumstances of the Cowpen Bewley appeals are not directly comparable to the circumstances of this appeal. I have, in any event, reached my own conclusions on the appeal proposal on the basis of the evidence provided to me.
11. I conclude that the proposed development would not be located where future occupiers would be able to rely on accessible local services and facilities to serve their everyday needs without having to travel some distance and in all likelihood by car. It does not meet any of the criteria specified in Paragraph 55 of the Framework and would conflict with national planning policy in relation to the sustainable location of rural housing. I have considered the benefits arising from the proposal, although I have concluded that these would be limited. Overall, I consider that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits. Consequently, the proposal would not represent sustainable development and the material considerations do not justify making a decision otherwise than in accordance with the development plan and national planning policy.
12. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*David Cross*

INSPECTOR

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<sup>1</sup> Appeal Refs: APP/H0738/W/16/3143709 & APP/H0738/W/16/3143718