
Appeal Decision

Site visit made on 6 June 2017

by Caroline Jones BA (Hons) DipTP MTP MRTPI

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

Decision date: 29 June 2017

Appeal Ref: APP/V0728/W/17/3170930

Former Liverton Lodge Farm, The Wheel House, Liverton Lodge, Liverton Village, Saltburn, Cleveland 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 Steven Souter and Mr Colin Jefferson against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2016/0632/RT, dated 11 November 2016, was refused by notice dated 3 January 2017.
 - The development is described on the appeal form as retrospective change of use of land including temp siting of caravan.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development was left blank on the original application form. I have therefore taken the description of development above from the appeal form which, on the basis of the information before me and the Councils description of development on the decision notice, adequately describes the development.
3. I saw at my site visit that the change of use and the siting of the caravan have already taken place.
4. The appellant has questioned whether the siting of a caravan for a small holder requires planning permission. However, this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to apply to have the matter determined under sections 191 or 192 of the Act. Any such application would be unaffected by my determination of this appeal.

Main Issues

5. The main issues are:
 - Whether this is a suitable location for the development with respect to its proximity to services and facilities to meet daily living needs; and
 - The effect of the proposal on the character and appearance of the area.

Reasons

Access to services and facilities

6. The appeal site lies adjacent to both a converted farmstead and a site which benefits from permission for the erection of 6 holiday chalets just outside the main built up area of Liverton Mines to the north. The site lies outside the development limits of the village and is therefore in the open countryside for development plan purposes.
7. The spatial strategy for the Borough is set out in Policy CS1 of the Redcar and Cleveland Local Development Framework Core Strategy DPD (2007) (CS) which states that the principle of sustainable development will underpin the policies and proposals for the use and development of land. This includes assessing proposals against their contribution to delivering easy access to jobs, shops and transport services. Similarly, Policy CS19 of the CS states that development proposals will be assessed in terms of their contribution to providing access to core facilities. Policy CS2 of the CS and Policy DP1 of the Redcar and Cleveland Local Development Framework Development Policies DPD (2007) (DPD) set out that development outside of development limits would not normally be permitted unless, amongst other things, it meets a rural need.
8. Although the site is outwith the development limits, it is a short distance from Liverton Mines to the north and Liverton to the south. Both are confirmed as being villages within the scope of the above policies where limited development would be permitted. Whilst the road is lit, there is no footpath connection from the appeal site to the villages. Moreover, whilst there are opportunities for cycling to the villages, from the information before me and from my observations on site, the available services and facilities within these villages are somewhat limited and the occupants would have to travel further afield to more concentrated settlements for access to services and facilities to meet day to day needs. I have not been provided with any evidence as to the availability of public transport to access such facilities.
9. Given the distances involved, accessing these facilities on foot or bicycle would not be an attractive prospect for the occupiers of the caravan, especially during inclement weather and at night, and they are likely to rely on the private car to reach them which is the least sustainable means of transport. Whilst such journeys would be short, they would be frequent thereby increasing reliance on non-sustainable modes of transport contrary to the aims of the CS and DPD and the National Planning Policy Framework (the Framework) which requires planning to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling.
10. In that the appeal site is located adjacent to a group of buildings, it is not isolated in those terms. Nevertheless, given the occupants of the caravan are likely to rely on the use of the private car to access most essential services it can be considered in these terms as an isolated location for the purposes of paragraph 55 of the Framework. This states, amongst other things, that in order to promote sustainable development in rural areas, local planning authorities should avoid isolated new homes in the countryside unless there are special circumstances.
11. No such special circumstances have been put forward. The appellants make reference to the occupant of the caravan working on the adjacent holiday

lodges. However, very little information is provided about this. There is insufficient evidence before me to consider that there is an essential need for the occupant to live at the site, even for a temporary period.

12. Taking the above into account, I conclude that the appeal site is not suitably located in relation to access to services and facilities and would not deliver a sustainable pattern of development in accordance with the provisions of the development plan. I therefore find conflict with Policies CS1, CS2, and CS19 of the CS, DP1 of the DPD and the Framework in this regard. The policies of the CS and DPD appear to be generally consistent with the Framework and I have given them full weight in the consideration of the appeal.

Character and appearance

13. The Council has raised no concerns in relation to the development's impact on the landscape. By virtue of its small scale, roadside screening and location towards the rear of the cluster of buildings at the site, I have no reason to conclude otherwise.
14. Nonetheless, the Council are concerned that the positioning of the caravan on site is contrary to the prevailing pattern of development within the village. However, the appeal site is quite separate and detached from the main built up area of the village which primarily consists of frontage development with open space to the rear. The caravan would form part of a cluster of buildings with a character quite distinct from that in the village. I find no harm in this respect.
15. I therefore conclude that the development does not have a materially harmful effect on the character and appearance of the surrounding area and find no conflict with Policy CS20 of the CS which states that development should enhance the character of the area and Policy DS2 of the DPD which requires that development should minimise any adverse impacts on the overall character of the area.

Other Matters

16. I acknowledge that there is a benefit arising from the development in the supply of an additional home in the area. However, given the development is for one caravan and for a temporary period, this carries limited weight.
17. I have also had regard to the accommodation and employment needs of the occupant of the caravan. Whilst these matters are personal ones, they do not amount to 'needs' as such as could outweigh a well-founded objection on development plan grounds. Such personal circumstances seldom outweigh general planning considerations. Furthermore, little information has been provided as to the availability of alternative accommodation in the area. Taking the above into account, the limited benefits of the scheme are not sufficient to outweigh the harm identified above, even taking into account the temporary period for which it is sought.
18. As identified above, the appeal site is not located within the defined settlement limit for Liverton Mines or Liverton Village and is therefore within the open countryside. Policy CS6 of the CS is not therefore applicable. Similarly, as the proposal does not relate to tourism or leisure, those elements of Policy CS12 referred to by the appellants are not relevant.

19. There is no evidence before me to suggest that the land was previously developed. Moreover, Annex 2 of the Framework specifically excludes land that is or has been occupied by agricultural or forestry buildings.
20. I note that the Council did not raise any concerns with regard to the impact on neighbouring properties, parking or highway safety or the impact on the landscape, ecology or flood risk. I have to no reason to come to a different view. Nonetheless these matters are not sufficient to outweigh the harm that I have identified above.

Conclusion

21. Whilst I have found no harm with respect to the character and appearance of the area, I have identified that the site is an unsuitable location with regard to its access to services and facilities. Therefore, for the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Caroline Jones

INSPECTOR